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THE PHANTOM PERIL OF GERMAN EMIGRATION AND SOUTH-AMERICAN SETTLEMENTS.

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THE question of German emigration, in former years the subject of widespread and animated discussion, has been revived of late, and there is a noticeable tendency in the international press to invent a "German Peril in South America." It is the object of this paper to give a short definition of Germany's emigration policy, and to remove various misunderstandings which have been created frequently by telegrams emanating from European sources, having as their object the creation of distrust, especially in the United States, with regard to the German policy in South America.

German emigration has dwindled so steadily and rapidly that at present it would seem to have reached the low-water mark in its downward trend. A glance at the official statistics of emigration will indicate the remarkable extent of this retrogression. In 1852, Germans, to the number of 145,918, and in 1854, to the number of 215,009, went to the United States alone. In 1872, just after the unification of the Empire, the grand total of German emigration amounted to 128,152; in 1873,

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to 110,438; in 1881, to 220,902; in 1882, to 203,585 persons. During the years succeeding 1882 up to 1892, the figures, in the average, still surpassed 100,000, but since then they have shown a notable falling off. Thus, only 22,309 in 1900; 22,073 in 1901; 32,098 in 1902; 36,310 in 1903; 27,984 in 1904—were recorded as having gone from Germany to lands beyond the seas.

This retrogressive tendency appears the more surprising when it is remembered that Germany's population, mainly as a result of the excess of births over deaths, but partly through its inland migration, has, since the foundation of the Empire, increased at an average annual rate of half a million, during recent years at the still higher rate of 800,000 *per annum*. The cause for this seeming anomaly lies in the extraordinary economical development of Germany during the last decade, in the consequent steady improvement of the social status of its laboring classes, brought about by a progressive rise in wages, and in the elimination, thereby, of one of the strongest incentives to emigration in former days: the hope, at the bottom of modern emigration in general, to receive a better reward for labor abroad than under prevailing economic conditions could be secured at home.

In view of this striking decline in the volume of German emigration, it is somewhat difficult to find a satisfactory explanation for the attitude of a certain portion of the foreign press, which, in utter disregard of incontestable statistical and historical facts, still eagerly grasps at every opportunity, however far-fetched, to assail Germany's emigration policy, question its loyalty and by this means stir up public sentiment against the German nation. These attacks, partly open, partly covert, are more pointedly directed against German emigration to South America generally, and to South Brazil in particular.

Constant allusions are made in these interpretations of an imaginary "writing on the wall" to an alleged "German danger," which, in the disguise of German immigration, past and to come, threatens the political and economic sovereignty of the South-American republics. With a "*videant consules*," imputations are cast abroad of political aspirations on the part of Germany in the southern half of this hemisphere, in the realization of which the German settlements already there are to be the stepping-stone. Ominous hints are disseminated of intentions of territorial aggrandizement in South Brazil, which Germany

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proposes to effect with the aid of the German-Brazilian colonists, backed by its powerful fleet now building up. Subsidized, it is averred, by the mother country, these settlements are to form a state within the state, a "thorn in the flesh" of South America.

Another of these fabrications informs us that the German "Central Bureau of Information for Emigrants," created several years ago, in exchange for official aid received by it from the Imperial Government, is engaged in conducting a well and systematically organized campaign for peopling South America, and especially South Brazil, with German settlements. Intelligent and well-informed persons everywhere are, of course, fully aware of the absurdity of these accusations and calumnies; nor does it appear that the Governments mainly interested in questions of migration and other bodies of influence are at all inclined to lend a willing ear to these misrepresentations.

Nevertheless, when it is remembered how readily certain classes of people are accessible to even the most ludicrous rumors of this kind, such inventions, inventions though they be, are not without some effect. Past experience is not lacking in proofs of the fact that, by such instrumentalities, public sentiments and public passions may be aroused which are anything but conducive to the friendly approach of nations to each other and to a mutual understanding of their respective individualities.

An impartial review of South-American conditions, as they have actually shaped themselves in course of time through German immigration, may be of some aid in averting such regrettable consequences and in refuting these attacks against Germany.

It is hardly necessary to say that large tracts of land in South America, particularly in South Brazil, the Argentine Republic and South Chile, are by their natural environments eminently suitable as homesteads for German immigrants. A climate blessed in its mildness; a virgin soil of great fertility; lands as yet uninvaded by colonists and still available for occupancy; living conditions similar to those prevailing at home; a Government benevolently inclined towards promoting German immigration—all these factors combine to attract Germans to the hospitable South-American shores with their alluring promises of affording a prosperous existence. Under these circumstances, and led by the innate migratory instinct of their fertile race, Germans in numbers large enough, if taken by themselves, yet small in com-

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parison with the quota contributed by the fatherland to other countries, chose South America for their colonizing activities.

German migration to Brazil began in the twenties of the past century. Great difficulties were encountered by the early settlers; with characteristic German perseverance they plodded along, and soon established the fact of the vitality of their settlements. In South Brazil, especially, a portion of these settlements have attained a high degree of prosperity, Reaching there, as a rule, with hardly any means, these sturdy Teutons have gradually built up for themselves a safe and comfortable livelihood. Germans in speech, Brazilians in citizenship, they have founded scores of thriving colonies. Their descendants have through generations preserved their German identity and, as a natural consequence, a preference for goods of German origin.

To-day, German merchants are working successfully in the commercial pursuits of the Republic. German trade and navigation are progressing in a gratifying manner. In many lines, the achievements of German colonists are recognized as standards of perfection. Rio Grande do Sul, the most southern State of the Republic, and Santa Catharina are inhabited by about 200,000 persons of German extraction. Under the active leadership of men of the type of Dr. Blumenau, who exercised their influence towards establishing close relations between the Brazilian Republic and its German element of population, and towards making the interests of the latter subservient to those of the former, the German settlements in these southern parts prospered in a remarkable degree. In Santa Catharina, the much-maligned "Hamburg Colonizing Society" of 1849, later absorbed by the "Hanseatic Colonization Company," has rendered material assistance in the upbuilding of the German colonies, by furnishing capital for the improvement of its own landed property in these regions, by making surveys, building roads and bridges and thus employing scores of newly arrived and indigent immigrants.

In Parana and Sao Paulo, the Germans, although for years left without any noteworthy reinforcement from abroad, and finding themselves confronted with a strong element of Italian and Polish-Galician immigrants, have likewise succeeded in the fields of commerce, capital, enterprise and intelligence. German immigration to the Argentine Republic has thus far been of relative insignificance. In a total of 2,279,000 immigrants, re-

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corded by that country for the period 1857-1895, there were only about 25,000 Germans. The Germans of Buenos Ayres, the capital of the Republic, are held in high esteem by their fellow citizens; in commerce they occupy an honorable position. In Chile, Germans have rendered eminent services in the domains of colonization, trade and navigation, as well as in military and public life. Nowhere, perhaps, on the southern portion of this hemisphere has the civilizing influence of their immigration made itself more keenly and more penetratingly felt than in that very country, the southern section of which owes its economic development almost entirely to the coming of the Germans.

Moreover, this movement has been entirely spontaneous, without any stimulus from the Government of the mother country. On the contrary, the latter may be said to have exercised its powers in the direction of obstructing rather than of fostering it. Students of German emigration will remember the Prussian "von der Heydt rescript" and similar decrees, which, for a time, prohibited the granting of any concessions for the transportation of emigrants to Brazil.

If it now be asked whether German immigration has proved a danger, or even a disadvantage, to South America, the answer must be decidedly in the negative. Witness the history of the last eighty years. The offspring of the early settlers in South America have almost invariably renounced or lost their German citizenship. In this they were indirectly aided by the laws of their native country. While perpetuating their mother tongue, their German customs and manners, they have embraced the citizenship of their adopted country. In closest touch with the interests of their new fatherland, they have distinguished themselves as eager and successful promoters of its advancement and economic development. They have not the remotest thought of returning to their former homes. They are free from any hankering after political separation, which, if it were suggested to them, they would repudiate as a serious detriment to their own interests, and as irreconcilable with their allegiance to the country of their adoption. They stand aloof from revolutionary movements and internal political strifes. Guided by their characteristic orderliness, their habitual deliberation and a correct understanding of the reciprocal relations between human right and duty, they are a bulwark of strength to the state, an element,

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in short, which has rendered infinite service in elevating the standard of civilization in the South-American republics.

It was but natural that the thriving condition of these settlements, and the economic effect of their demands upon export and industry of the mother country, turned the eyes of German economists to the possibilities presented by the southern half of this continent as an outlet for the surplus population of the fatherland. German public opinion, even before, but notably during, the period of Germany's high tide of emigration in the course of the eighties, raised its voice in support of a policy of directing German emigration into South-American channels. "Diversion of emigration from North to South America" then became, and for a long time remained, the shibboleth of all those who advocated *economic utilization* of emigration as a postulate of public opinion.

Of the attitude assumed by the German Government in dealing with this popular demand and with the question of emigration in general, documentary evidence may be found in the German Emigration-Law and the introductory *exposé* of its underlying "motives," a careful perusal of which will be found of material assistance in arriving at a correct understanding of Germany's emigration policy. Emigration, in the eyes of that law, is an economic phase of the social life of the nation, which, in itself, is an economic loss to the commonwealth. It should not be prohibited, for that would interfere with the constitutional rights of the individual. But it should not, on the other hand, receive governmental aid, regardless of the country of its final destination. From this fundamental point of view, it is made a punishable offence to stimulate emigration by artificial means or by systematic effort.

It is true that the law, as set forth in its preamble, favors the diversion of emigration from countries which it considers ill-suited to German habitation, to countries of opposite characteristics. In the latter category, however, it classes in a summary way all foreign countries, the climatic, agricultural and other surrounding conditions of which are deemed to be well adapted to serve as a basis for prosperous German settlements, in which Germanism may thrive and the German element, through its own consumption of German manufactures, become an intermediary of increased *traffic exchange* between the new and the

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old country. In the former class are grouped all countries in which German individuality, language and traits are most likely to be absorbed through assimilation, and the relations between the mother country and its former subjects to be loosened.

Special pains are taken by the legislature to avoid indiscriminate generalization from these points of view with reference to certain countries as entireties. The public demand, previously alluded to, for an outright diversion of emigration from North to South America, is subjected to severe criticism. In justification of this position, particular stress is placed upon the fact that in North America, as well as elsewhere, there are German settlements, which through generations have preserved their German identity. In South America, on the other hand, the aspects are not invariably as bright as is frequently surmised. Instances are on record of German settlements in South America which have assimilated as early as in the second or third generation of their existence. Lack of suitable ground, of adequate protection of the rights of ownership, and of appropriate channels for marketing their goods has brought disaster to more than one South-American colony of Germans. In thus deliberately refraining from any generalization in their references to North and South America, the framers of the law were evidently guided by the desire to curb, at the outset, any tendency in the direction of such generalization. Under the law and its "motives," questions as to the fitness of certain countries or districts for German colonization are to be taken up individually and decided upon careful examination of all the local conditions prevailing in each particular case.

In dealing with emigration, indiscriminate commendation of, or warning against, whole countries or parts of countries, presenting, perhaps, the most diversified conditions, is to be avoided. It is pointed out that for years to come North America is bound to remain the principal goal of German exodus. Transportation of German emigrants to the United States and Canada, as well as to Australia, is, therefore, a matter of special concern to the legislator. The law also emphasizes the fact that it is not one of its functions to dissuade Germans from emigrating to these countries, their general conditions being such as to afford a certain guarantee for the future welfare of the emigrants.

The soundness of these fundamental principles is incontestable.

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They bear the stamp of having been dictated, solely, by considerations of national progress, without, however, losing sight of the interests of the emigrant or of those of his chosen country. They need not shun the light of publicity, and they have been adopted by Great Britain, Italy, Austria-Hungary and other countries as a guide in shaping their own emigration policy.

As regards the "Central Bureau of Information for Emigrants," the attacks directed against it are likewise void of foundation. The calumniators of the "Bureau" are often pleased to brand it as being instrumental in furthering a policy of expansion, which, by transplanting vast multitudes into Brazilian soil, hopes to pave the way for the realization of political aspirations in South America. There is not a shadow of truth in these allegations. The primary object of the "Bureau," according to the official programme outlined for its activities, is to safeguard the interests of Germans in moderate circumstances who supply the bulk of German emigration. In its general features, it is patterned after the "Emigrants' Information Office," of London, the "*Bureau de Renseignements*," of Brussels, the Swiss, Italian, and other similar institutions, some of which have been in existence for many years.

Its origin is traceable to the consideration that persons bent upon emigrating should have access at home to reliable information concerning the countries of their choice. The "Bureau," although supervised and financially aided by the Government, has no official character, but is attached to a private society. Under the rules of its organization, approved by the Chancellor of the Empire, it is forbidden to engage in any policy of emigration. Its services as a source of information are limited to the answering of inquiries addressed to it. The answers must be confined to the specific countries named by the inquirer; within these bounds their scope may be extended to any country, including the German colonies, and *not* to South America alone.

According to the statistics published by the "Bureau" since its creation, its services in the line described were as follows:

From	Total number of answers to inquiries.	Subject of inquiry. German colonies.	United States.	South Brazil.	Brazil.	Argentine Republic.	Chile.
April 1 to Sept. 30, '02....	2654	1700	134	146	66	52	25
Oct. 1, '02, to Sept. 30, '03..	3376	2315	215	237	147	76	44
Oct. 1, '03, to Sept. 30, '04..	3308	2348	244	273	115	128	55
Oct. 1, '04, to Sept. 30, '05..	2663	1888	154	232	111	120	37

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Note the insignificant number of questions asked and answered regarding South America, as against the total shown in the first column of the table. No further evidence is required to show the flimsiness of the assertion that the "Bureau," in consideration of governmental aid, centres its energies on promoting German emigration to South America and especially to South Brazil.

Unnecessary, therefore, and ridiculous are, finally, the frequent warnings, sounded in certain publications of alleged dangers threatening South America through German emigration. According to the official German statistics, the total number of Germans who emigrated from the fatherland during the period 1871 (the year of the unification of the Empire) to 1894, amounted to 2,616,731. Of this number, 2,380,792 emigrated to the United States, 19,011 to British North America, 54,719 to Brazil, 31,814 to Argentina, Chile and other South-American countries, 13,012 to Africa. Since 1898 German emigration has been as follows:

	NUMBER OF EMIGRANTS TO			
	United States.	Brazil.	Other South America.	Total.
1898	18,563	821	1139	22,221
1899	19,806	896	997	29,323
1900	19,703	364	330	22,309
1901	19,912	402	271	22,073
1902	29,211	807	263	32,098
1903	33,649	693	252	36,310
1904	26,085	355	316	27,984

It will be observed that, according to these figures, the quota of German emigration to Brazil was a very small percentage of the total. The percentage of Germany's contribution of emigration to the rest of South America is still lower. It may be safely left to the intelligent reader to decide for himself whether these figures are really indicative of a well-planned German movement for the colonization of South America, and whether they really portend any danger to that continent. Like results are obtained from the figures compiled by the German Bureau of Statistics as to the German population of all countries:

Country.	Native Germans.	German subjects.
The United States	2,669,164	?
The Argentine	?	17,143
Chile	?	7,049
Brazil	20,000	8,000

Thus, again, the phantom of a German peril in South America

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disappears before the searchlight of statistics. Note, on the other hand, the enormous number of Germans residing in the United States. It is a statistical fact that of its entire emigration Germany, in the average, sends over 96 per cent. to the United States. According to the model American immigration statistics, the influx of Germans into the Union during the period 1820 to 1870 amounted to 2,368,483, and during the period 1820 to 1903 to 5,138,091, or 25 per cent. of the alien arrivals in that country.

The Federal Census of 1900 places the number of native Germans in the United States at 2,663,418, against a total population of 75,693,734. Mannhard* is authority for the statement that the number of German immigrants now residing in the United States, together with their direct offspring, amounts to 26,000,000. The percentage of German blood circulating in the veins of the inhabitants of the United States, Mr. Mannhard estimates at 33.56. German immigration has thus contributed vastly more to the upbuilding of the population of the United States than to that of any other country. Nor are there any present indications that the United States will cease to be the Mecca of German emigration. Of space available for settlement, there is still an abundance. On a land area which, according to American economists, could support a population of 800,000,000, there are at present only 80,000,000 inhabitants.

Even now, German civilization, German language, prosperous German schools, churches, societies, and papers are everywhere throughout the United States in ample evidence. Yet, who ever thinks of speaking of a German peril in the United States? German immigration, on the contrary, is now, as ever, welcomed in the United States as a desirable influx, as an economic gain to the population. Equity demands that German emigration to South America be judged by the same standard, and that, instead of being denounced as a peril to the state, it be recognized as an increment to the population which, small though it be, true to its mission, may be safely relied upon to contribute its full share to the progress and economic development of the South-American republics.

STERNBURG.

* *Cf.* "*Deutsch-Amerikanische Geschichtsblätter,*" October, 1903.

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THE INTERNATIONAL INSTITUTE OF AGRICULTURE.

BY LUIGI LUZZATTI.

As a result of the initiative by the King of Italy in favor of the foundation of a World's Agricultural Institute, the representatives of all the nations, both great and small, who met at the Conference held in Rome in May of last year, unanimously recognized the utility of such an institution.

The International Institute of Agriculture is to embody in a new form the spirit of the *Pax Romana,* no longer to be enforced by the victor at the point of the sword, but to be obtained as the result of the triumph of science and of intelligent agricultural labor. The delegates of all the Governments at the diplomatic Conference in Rome unanimously endorsed this great project.

The general, uniform and constant collection and immediate dissemination of statistical information; the prevention of the diseases of plants and animals; the stipulations of international agreements having a bearing on agricultural production and distribution were among the themes discussed at the Conference, and the conclusion was reached that all these problems, essentially international as they are, could best be dealt with by an International Institute of Agriculture.

The scandals arising from the manipulation of the prices of the staples of agriculture, and the circulation of false news as to the prospects of crops with the intent to perturb prices artificially, compel both producing and consuming nations to realize the need for trustworthy statistical information—information which shall be received by all the world as authoritative. And, while conflicting interests might prevent one nation from accepting as authoritative and final the information furnished by another nation, it would be otherwise in the case of statements

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made by the International Institute of Agriculture, for the duty of gathering and issuing the information would be in the hands of the world's statistical experts, and it would be discharged under the auspices of the high representatives of the various nations. There is yet another and a stronger reason why the information furnished by the Institute would be more acceptable than any now accessible, and that is because a world's summary is absolutely necessary to the establishment of a just world's price. No such world's summary can now be had, for the simple reason that, among the most important producing nations at the present time, there are no daily or weekly or monthly reports of facts as to growing crops, and whatever information is had from those countries at present is gathered by private persons. But would the International Institute of Agriculture assure greater possibility of obtaining the facts than exists now? The answer is, "Decidedly so," as may be confidently inferred from the list of nations that have already signed adherence to the Institute. We see from this list that nations which have heretofore kept no tally of the growing crops and of other necessary facts were among the first to support the project. This is equivalent to a tacit agreement between the nations that accurate, timely and necessary information shall be furnished by them to the Institute. How else could it carry on its work?

The importance of all this becomes manifest as soon as we realize that the information here spoken of is the main factor which determines the prices of agricultural staples, and that the status of the price determines the earning power of the capital and labor employed on the farm and in the factory, and, last but not least, that it affects the welfare of all the consumers.

It is admitted that at the start there will be many difficulties to overcome, but, with the help of scientific knowledge and the requisite financial means, all these may be conquered.

Of its efficacy, when established, it may be said that, as the general principles at the basis of civil and commercial law tend to become uniform, the action of the proposed Institute would hasten the solution of problems which can be solved only through the association of scientific knowledge with legislative power. This fact being generally recognized at the Conference, the proposal did not encounter opposition, at least in theory. The immensity of the undertaking alone caused hesitation; but, like all

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sound undertakings, it will have its own organic evolution and the consecration which time and experience will confer on it.

A point upon which a difference of opinion arose at the Conference—a difference which cannot be a matter of surprise—was the question of the organization of the new Institute and its practical activities.

In the rough outline of the original proposal, there is mention of an Agricultural Parliament, but these words do not appear in the King's letter to his Prime Minister. However, the idea is there none the less; for the King, in inviting the several Governments to the great Conference, proposed that in the Institute the vital forces of agriculture should be represented, on the one hand, by the delegates from the nation, and, on the other hand, by delegates from the agricultural associations. An Agricultural Parliament, it is implied, would sit in Rome, composed of two houses—one elected by and representing the farming world; the other, a counterpart of the Senate, composed of delegates appointed by the Governments.

The Germans—notably Haas, the working leader of German rural cooperation,—the Austrians, the Hungarians, and possibly the Swiss, the Dutch, the Belgians and the Danes are in favor of the two-houses scheme. Or, should the two houses seem to imply needless complication (which I do not think would be the case), they wish, at all events, that agriculture should not be represented by Government delegates exclusively, but that a voice should be given also to the agricultural associations.

The Germans attach much importance to individualism, as revealed in the elective affinities of associations and cooperative societies; and they wish to see the representative members of these associations admitted to the Institute as a counterbalance and corrective or stimulant to the Government delegates. And, in this connection, it may be noted that, while in no country does the State do more or do better than in Germany, there is no country in which free associations exercise a more active or more salutary influence upon affairs, in conjunction with governmental forces.

Other countries opposed this elective principle, adducing arguments worthy of consideration, and affirming that the technical intervention of the several Governments would be more efficacious and more uniform; the Governments could then see about coming

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to an agreement with their respective associations. When all this is taken into consideration, it will not seem strange that the essential point of the two houses was left undecided by the Conference, and that mainly with a view to the preservation of unanimity.

That the two-houses idea will, however, in due time be evolved is certain; for it is clear that the agricultural associations will bring pressure to bear on their respective Governments, and will demand admission for their representatives to the new Institute. This is to be desired, for, if the farmers once realize the salutary efficacy of the Institute, the all-powerful law of self-interest will urge them to agitate for the right of participation in the labors of the Institute; otherwise, it could be implied that the Institute had only an academic value, and such an implication would be disastrous to its success. It is, therefore, reasonable to conclude that, in process of time, the Governments, through their representatives at the Institute, will reconsider this question. When the agricultural classes unanimously express themselves in favor of the principle of the dual representation, their wishes will be respected.

The other point on which a difference of opinion arose is a yet more delicate one, and may be summarized in the following terms: Ought the International Institute of Agriculture to promote, not only the exchange of ideas, but also the exchange of commodities and of traffic? Shall it merely be consultative, deliberative and advisory, or shall it have power to do, to act? Here, again, different tendencies became manifest at the Conference. The delegates who favored the principle of dual representation were inclined to pass from words to deeds; on the other hand, those who favored exclusively official representation did not wish the Institute to venture beyond studies leading on to legislative reforms.

An example may make this matter clearer.

The importance to which rural cooperation has attained today is well known. It is a power both for transformation and salvation. The valuable studies and experiences of Sir Horace Plunkett clearly show that rural cooperation has done for Ireland what legislation, from the first bold reforms promoted by Gladstone down to those of the present day, has been powerless to accomplish. Denmark owes to rural cooperation the change

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from poverty to a condition of general and equitable prosperity. Rural cooperation has freed whole districts from the most tenacious and voracious forms of usury. Rural cooperation has upbuilt the moral and economic status of the small farmer, in whom is embodied the choicest and soundest type of a healthy democracy. Now, as rural cooperation extends its operations everywhere, why should not its representatives, under the auspices of the International Institute, (which would offer them the Tent of Hospitality), meet at stated times, in convention at Rome, with a view to taking advantage of the best results of the world's experience?

Such a world-wide alliance of cooperative societies would do more than all the laws on the statute-books to prevent the adulteration of foods, the formation of trusts, and artificial speculation in the staples of agriculture. At the Conference, Haas and myself, representing Germany and Italy, proposed and supported this scheme of international cooperation, which won the approval of the Danish, Dutch, and other delegations. But the time was not yet ripe for such a measure; and, so as not to endanger the success of the Conference, it was kept in reserve for the future decision of the Institute, and was not exposed to the chance of an unfavorable vote.

If the Institute does not wish to lose its most vital elements, it will have to place itself at the head of the movement. Everywhere rural cooperation implies the transformation and crystallization of the choicest labor into the most legitimate kind of capital, a capital which is fruitful and should be inviolable, inasmuch as both the heart and mind of the least of the producers contribute to its formation. It is the surest antidote to, the safest buttress against, Socialism. The International Institute of Agriculture will receive its real patent of nobility from rural cooperation, and this the King of Italy knew and felt when, in his announcement of the plan, he pointed out world-wide cooperation as the chief aim of the new Institute. Enlightened Monarchs feel more keenly than other people their elective affinity to redeemed agrarian labor!

Another point. To-day, more than ever, European and Chinese emigration has become a difficult and anxious problem. North and South America and Australia are the chief countries into which emigrants pour. In the crucible of the United States,

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the residuum of the European and Asiatic races is melted down. These homeless wanderers from Europe and Asia, driven by poverty and by the spirit of adventure to emigrate, have already been the objects of legislation, both for and against them. In Italy, we have the emigration laws, the Emigration Bureaus, Committees formed for the protection of these unfortunate people; the United States, on its side, is anxious to sift out and select, by means of educational and money tests, the foreigners who seek its shores; whilst Australia openly tries to thrust them out as so many intruders, who perturb the labor-market and lower the wage rate. There is a wish to protect home labor as home industries are protected.

Now what more important or valuable task could the new Institute undertake than that of aiding the solution of the emigration problem? In its world-wide and humanitarian aspect, it ought to reflect all phases of this problem, and in its philanthropic aspect it ought to promote a whole series of measures for the protection of emigrants in all parts of the world. It should stand up for the protection of the worker, no matter whence he comes or whither he is going. On what a splendid network of new institutions the Twentieth Century might set her seal!

As, through the International Institute of Agriculture, the correct prices of the staples of agriculture would be arrived at, so, by means of this new and international Labor Exchange, information would be constantly furnished as to the places where there was either excess or lack of labor. How many blessings such a work would earn, how many tears it would dry, how many economic crimes it would be the means of abolishing (witness the lynching of foreign workers), how actively it could promote economic and social prosperity! I am sure that, when the International Institute of Agriculture achieves this end, when it can provide for the universal protection of the emigrant who will no longer feel himself an alien in any land (for, as the result of this just and liberal protection, he will find himself at home all over the world), I am sure that in this the King of Italy will feel that his initiative has achieved its most beneficent results.

Evidently, the new Institute will have no lack of great works to accomplish wherewith to stimulate its activity; and, although the German delegates and some of the Italian delegates (to wit, Professor Pantaleoni and myself) would have wished the Rome

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Conference to break loose from the fetters of diplomatic etiquette, and to place these new ideals under the co-direction of the national delegates and of the farmers' organizations, nevertheless, the seed which was then sown will bear fruit in the future. The essential thing is that the International Institute is now substantially in existence, that before long it will be in working order in Rome, as a legally constituted body. The pressure of the public opinion of the agricultural world, as expressed at its international congresses, will do the rest.

At the last meeting of the Committee of the International Federation of Master Cotton Spinners and Manufacturers, held in Paris, representing a large proportion of the world's cotton industry, an important resolution was passed to express the hope that the Institute may get to work as soon as possible, so as to protect one of the chief of the world's industries, that which clothes the prince and the peasant, old and young, male and female, all over the world.

Nowadays, owing to speculation and manipulation of the markets, the cotton industry, formerly one of the most stable, is becoming one of the most risky. Speculation on the cotton exchanges, along with the uncertainty always prevalent as to the real conditions of the production of cotton, has led all over the world to a display of feverish activity with a view to finding new fields for cotton-plantations. Every nation is anxious to free itself from these risks and speculations, by obtaining its own territory for the cultivation of cotton. Even Italy is now trying to obtain a cotton region in Benadir. Thus, the penalty for the American cotton-grower, which the unhealthy speculation will have brought about, promises to be in a permanently lowered world's price through stimulated production of increased volume.

Hence, it is clear that it is in the interest of the United States to foster the new International Institute of Agriculture, and to work for it with a view to freeing the world of all forms of false and artificial manipulation of the prices of cotton. The United States, as a nation, will be responsible should it not work to strengthen this new Institute, which will free the *bona fide* production and consumption of the world from this blot of manipulation. As a nation, the United States was responsible for slavery, and it freed itself of slavery by the most glorious of wars; as a

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nation, it is now responsible for all the swindles in prices which are carried on under the shade of its otherwise spotless flag.

In conclusion, the Institute promoted by the King of Italy is an altar sacred to agrarian and social peace, the parents of political peace. The fiercest struggles which the world still has to fear are those due to the diversity of economic interests. To what other cause can we attribute the divergence prevailing between two of the mightiest and wisest nations of the world, England and Germany, which along with the United States, France and Italy, are the great beacon-lights of civilization? It is all very well to spread the economic precepts of Adam Smith, Cobden, and Bastiat; to preach that the interests of all states are at bottom identical; that the prosperity of one cannot spell the ruin of the other. It is all very well to state that the national alliance of consumers improves that of the producers; to prove that there is room for all in this world, still so full of buried wealth, of dormant activities; the demoniacal instinct of human cupidity will, none the less, awake at certain hours in human history, and will drive the nations on to war. Now, the only hope is to oppose to these dire tendencies powerful and solid economic institutions, which will counteract the bad by the good instincts, the unwholesome interests by the wholesome, the divergent forces by the natural alliance of consumers and producers. A popular free-trade treaty would be of no practical value for such a purpose. Our age, which is so saturated with economic science, has gone back all along the line to the most rigid protectionism, without even being able to plead the ignorance of the Middle Ages, to which the laws of political economy were unknown. Should Chamberlain succeed in the future in making protection triumph in England also, there will no longer be a single corner in the whole world where the economic doctrine of free trade will be respected and observed. Economic peace will never be obtained through the agency of doctrinaire political economy. New institutions, essentially international in character, must be created, which, whilst refraining from stirring up irritating tariff questions, will find other means for initiating the nations in the pursuit of economic harmony.

When the Institute promoted by the King of Italy gets to work, then the obvious, daily and ever-renewed advantages which it will yield will speak to the heart of the nations. Manufacturers

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will have the certainty that their raw material will be free from unfair values and from unnecessary fluctuations, and those who eat their daily bread in the sweat of their brows, and night and morning pray to God to vouchsafe them their crust, will know that they are not paying tribute to the manipulators of corners, to the men who with impunity starve the suffering and toiling masses. The emigrants who leave their mother country, which cannot feed them, will find other hospitable shores, and wherever they go they will find themselves under the beneficent influence of a thoughtful guardian. And the small farmers and peasants, united in rural federations, will enjoy a common prosperity insured to the humble, which will make itself felt in all parts of the world. From the ranks of these small farmers, redeemed by cooperation, unified in spirit by the Institute promoted by the King of Italy, will arise a powerful voice, a voice which will bridle the spirit of evil, and opposing it by the force of harmonious interests will impose Peace on all the world, and thus maintain it.

As is shown by the letter in which he invited all the Governments of the world to this common symposium, the King of Italy felt this, and gave expression to the idea in few and measured words. Would that this great vision may become a splendid reality!

Were the exalted head of the United States also to take under his protection the programme laid down by the King of Italy, such an alliance between the mighty Republic and the Kingdom which has Rome for capital might yield us the most notable miracle of modern civilization. The day on which the United States of America devotes to the cause of universal economic justice the enormous power which it has till now devoted to developing the resources of its own lands, its mines, its manufactures; the day on which a loftier thought—that of the union of all the nations for a wider, fuller life—shall replace in the mind of America the idea of struggling for national wealth, in which it has won for itself the foremost place, that day will usher in a new social era. And a mystic and solemn significance would attach to the fact if the Capitols of Rome and Washington were to contribute to the hastening of that day.

LUIGI LUZZATTI.

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WASHINGTON.—I.

BY HENRY JAMES.

I.

I WAS twice in Washington, the first time for a winter visit, the second to meet the wonderful advance of summer, to which, in that climate of many charms, the first days of May open wide the gates. This latter impression was perforce much the more briefly taken; yet, though I had gathered also from other past occasions, far-away years now, something of the sense of the place at the earlier season, I find everything washed over, at the mention of the name, by the rare light, half green, half golden, of the lovely leafy moment. I see all the rest, till I make the effort to break the spell, through that voluminous veil; which operates, for memory, quite as the explosion of spring works, even to the near vision, in respect to the American scene at large—dressing it up as if for company, preparing it for social, for human intercourse, making it in fine publicly presentable, with an energy of renewal and an effect of redemption not often to be noted, I imagine, on other continents. Nowhere, truly, can summer have such work cut out for it as here—nowhere has it to take upon itself to repaint the picture so completely. In the "European" landscape, in general, some, at least, of the elements and objects remain upon the canvas; here, on the other hand, one seems to see intending nature, the great artist of the season, decline to touch that surface unless it be first swept clean—decline, at any rate, to deal with it save by ignoring all its perceived pretensions. Vernal nature, in England, in France, in Italy, has still a use, often a charmed or amused indulgence, for the material in hand, the furniture of the foreground, the near and middle distances, the heterogeneous human features of the face of the land. She looks at her subject much as the portrait-painter looks at the

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personal properties, this or that household object, the official uniform, the badges and ornaments, the favorite dress, of his sitter —with an "Oh, yes, I can bring them in; they're just what I want, and I see how they will help me out." But I try in vain to recall a case in which, either during the New England May and June, or during those of the Middle States (since these groups of weeks have in the two regions a differing identity and value) the genius in question struck me as adopting with any frankness, as doing more than passively, helplessly accept, the supplied paraphernalia, the signs of existing life. The business is clearly to get rid of them as far as may be, to cover and smother them; dissimulating with the biggest, freest brush their impertinence and their ugliness.

I must ask myself, I meanwhile recognize, none the less, why I should have found Mount Vernon exquisite, the first of May, if the interest had all to be accounted for in the light of nature. The light of Nature was there, splendid and serene; the Potomac opened out in its grandest manner; the bluff above the river, before the sweep of its horizon, raised its head for the historic crown. But it was not for a moment to be said that this was the whole story; the human interest and the human charm lay in wait and held one fast—so that, if one had been making light, elsewhere, of their suggestion and office, one had at least this case seriously to reckon with. I speak straightway, thus, of Mount Vernon, though it be but an outlying feature of Washington, and at the best a minor impression; the image of the particular occasion is seated so softly in my path. There was a glamour, in fine, for the excursion—that of an extraordinarily gracious hospitality; and the glamour would still have been great even if I had not, on my return to the shadow of the Capitol, found the whole place transfigured. The season was over, the President away, the two Houses up, the shutters closed, the visitor rare; and one lost one's way in the great green vistas of the avenues quite as one might have lost it in a "sylvan solitude"—that is, in the empty alleys of a park. The emptiness was qualified at the most, here and there, by some encounter with a stray diplomatic agent, wreathed for the most part in sincerer smiles than we are wont to attribute to his class. "This"—it was the meaning of these inflections—"was the *real* Washington, a place of enchantment; so that if the enchantment were never less who could ever bring

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himself to go away?" The enchantment had been so much less in January — one could easily understand; yet the recognition seemed truly the voice of the hour, and one picked it up with a patriotic flutter not diminished by the fact that the speaker would probably be going away, and with delight, on the morrow.

The memory of some of the smiles and inflections comes back in that light; Washington being the one place in America, I think, where those qualities are the values and vehicles, the medium of exchange. No small part of the interest of the social scene there consists, inevitably, for any restless analyst, in wonder about the "real" sentiments of appointed foreign participants, the delegates of Powers and pledged alike to penetration and to discretion, before phenomena which, whatever they may be, differ more from the phenomena of other capitals and other societies than they resemble them. This interest is susceptible, on occasion, of becoming intense; all the more that curiosity must, for the most part, pursue its object (that of truly looking over the alien shoulder and of seeing, judging, building, fearing, reporting with the alien sense), by subtle and tortuous ways. This represents, first and last, even for a watcher abjectly irresponsible, a good deal of speculative tension; so that one's ease is refreshing in presence of the clear candor of such a proposition as that the National Capitol *is* charming in proportion as you don't see it. For that is what it came to, in the bowery condition; the as yet unsurmounted *bourgeois* character of the whole was screened and disguised; the dressing-up, in other words, was complete, and the great park-aspect gained, and became nobly artificial, by the very complexity of the plan of the place—the perpetual perspectives, the converging, radiating avenues, the frequent circles and *carrefours,* where all that was wanted for full illusion was that the bronze Generals and Admirals, on their named pedestals, should have been great garden-gods, mossy mythological marble. This would have been the perfect note; the long vistas yearned for it, and the golden chequers scattered through the gaps of the high arches waited for some bending nymph or some armless Hermes to pick them up. The power of the scene to evoke such visions sufficiently shows, I think, what had become, under the mercy of nature, of the hard facts, as one must everywhere call them; and yet though I could, diplomatically, patriotically pretend, at the right moment, that such a

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Washington *was* the "real" one, my assent had all the while a still finer meaning for myself.

I am hanging back, however, as with a sacred terror, from Mount Vernon, where indeed I may not much linger, or only enough to appear not to have shirked the responsibility incurred at the opening of these remarks. There, in ample possession, was masking, dissimulating summer, the envelope and disguise to which I have hinted that the American picture owes, on its human side, *all* its best presentability; and at the same time, unmistakably, there was the spell, as quite a distinct matter, of the hard little facts in themselves. How came it that, if they could throw a spell, they were yet so abject and so negligible? How came it that, if they had no intrinsic sweetness, no visible dignity, they could yet play their part in so unforgettable an impression? The answer to this can only be, I think, that we happen here to "strike," as they say, one of the rarest of cases, a spot on which all sorts of sensibilities are touched and on which a lively emotion, which is yet other than the æsthetic, makes us its prey. The old high-placed house, unquestionably, is charming, and the felicity of the whole scene, on such a day as that of my impression, scarce to be uttered. The little hard facts, facts of form, of substance, of scale, facts of essential humility and exiguity, none the less, look us straight in the face, present themselves literally to be counted over—and reduce us thereby to the recognition of our supreme example of the rich interference of association. Association does, at Mount Vernon, simply what it likes with us—it is of so beautiful and noble a sort; and to this end it begins by making us unfit to say whether or no we would, in its absence, have noticed the house, for any material grace in it, at all. We scarce care more for its being proved picturesque, the house, than for its being proved plain; its architectural interest and architectural nullity become one and the same thing for us. If asked what we should think of it if it hadn't been, or if we hadn't known it for, Washington's, we retort that the inquiry is inane, since it is not the possessive case, but the straight, serene nominative, that we are dealing with. The whole thing *is* Washington—not his invention and his property, but his presence and his person; with discriminations (as distinguished from enthusiasms) as invidious and unthinkable as if they were addressed to his very ears.

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The great soft fact, as opposed to the little hard ones, is the beauty of the site itself; that is definitely, if ever so delicately, sublime, but it fails to rank among the artificial items that I began by speaking of, those of so generally compromising an effect in the American picture. Everything else is *communicated* importance, and the magic so wrought for the American sensibility —by which I mean the degree of the importance and the sustained high pitch of the charm—place it, doubtless, the world over, among the few supreme triumphs of such communication. The beauty of the site, meanwhile, as we stand there, becomes but the final aspect of the man; under which everything conduces to a single great representative image, under which every feature of the scene, every object in the house, however trivial, borrows from it and profits by it. The image is the largest, clearest possible of the resting, as distinguished from the restless, consciousness of public service consummately rendered. The terms we commonly use for that condition—peace with honor, well-earned repose, enjoyment of homage, recognition of facts—render but dimly the luminous stillness in which, on its commanding eminence, we see our image bathed. It hangs together with the whole bright immensity of air and view. It becomes truly the great white, decent page on which the whole sense of the place is written. It does more things even besides; attends us while we move about and goes with us from room to room; mounts with us the narrow stairs, to stand with us in these small chambers and look out of the low windows; takes up for us, to turn them over with spiritual hands, the objects from which we respectfully forbear, and places an accent, in short, through the rambling old phrase, wherever an accent is required. Thus we arrive at the full meaning, as it were—thus we know, at least, why we are so moved.

It is for the same reason for which we are always inordinately moved, on American ground, I think, when the unconscious minor scale of the little old demonstrations to which we owe everything is made visible to us, when their disproportionate modesty is proved upon them. The reason worked at Mount Vernon, for the restless analyst, quite as it had worked a few months before, on the small and simple scene of Concord Fight: the slight, pale, bleeding Past, in a patched homespun suit, stands there taking the thanks of the bloated Present—having wound-

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edly rescued from thieves and brought to his door the fat, locked pocketbook of which that personage appears the owner. The pocketbook contains, "unbeknown" to the honest youth, bank-notes of incredible figure, and what breaks our heart, if we be cursed with the historic imagination, is the grateful, wan smile with which the great guerdon of sixpence is received. I risk, floridly, the assertion that half the intensity of the impression of Mount Vernon, for many a visitor, will ever be in this vision there of Washington *only* (so far as consciously) so rewarded. Such fantastications, I indeed admit, are refinements of response to any impression, but the ground had been cleared for them, and it ministered to luxury of thought, for instance, that we were a small party at our ease there, with no other circulation—with the prowling ghosts of fellow-pilgrims, too harshly present on my previous occasion, all conveniently laid. This alone represented privilege and power, and they in turn, with their pomp and circumstance of a charming Government launch, under official attendance, at the Navy-Yard steps, amid those large, clean, protecting and protected properties of the State which always make one think much of the State, whatever its actual infirmities —these things, to say nothing of other rich enhancements, above all, those that I may least specify, flung over the day I scarce know what iridescent reflection of the star-spangled banner itself, in the folds of which I had never come so near the sense of being positively wrapped. That consciousness, so unfamiliar, was, under the test, irresistible; it pressed the spring, absolutely, of intellectual exaltation—with the consequent loud resonance that my account of my impressions doubtless sufficiently translates.

II.

Washington itself meanwhile—the Washington always, I premise, of the rank outsider—had struck me from the first as presenting two distinct faces; the more obvious of which was the public and official, the monumental, with features all more or less majestically playing the great administrative, or, as we nowadays put it, Imperial part. This clustered, yet at the same time oddly scattered, city, a general impression of high granite steps, of light gray corniced colonnades, rather harmoniously low, contending for effect with slaty mansard roofs and masses of iron excrescence, a general impression of somewhat vague, empty,

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sketchy, fundamentals, however expectant, however spacious, overweighted by a single Dome and overaccented by a single Shaft—this loose congregation of values seemed, strangely, a matter disconnected and remote, though remaining, in its way, portentous, and bristling, all incoherently, at the back of the scene. The back of the scene, indeed, to one's quite primary sense, might have been but an immense painted, yet unfinished, cloth, hung there to a confessedly provisional end and marked with the queerness, among many queernesses, of looking always the same; painted once for all in clear, bright, fresh tones, but never emerging from its flatness, after the fashion of other capitals, into the truly, the variously, modelled and rounded state. (It appeared provisional, therefore, because looking as if it might have unhooked and removed as a whole; because any one object in it, so treated, would have made the rest also come off.) The foreground was a different thing, a thing that, ever so quaintly, seemed to represent the force really in possession; though consisting but of a small company of people engaged perpetually in conversation and (always, I repeat, for the rank outsider) singularly destitute of conspicuous marks or badges. This little society easily became, for the detached visitor, the city itself, *the* national capital and the greater part of the story; and that, ever, in spite of the comparatively scant intensity of its political permeation. The political echo was, of course, to be heard in it, and the public character, in its higher forms, to be encountered —though only in "single spies," not in battalions; but there was something that made it much more individual than any mere predominance of political or administrative color would have made it—leaving it in that case to do no more than resemble the best society in London, or that in best possession of the field in Paris.

Two sharp signs my remoter remembrance had shown me the then Washington world, and the first met, as putting forth; one of these the fact of its being extraordinarily easy and pleasant, and the other that of one's appearing to make out in it not more than half-a-dozen members of the Lower House and not more than a dozen of the Upper. This kept down the political permeation, and was bewildering, if one was able to compare, in the light of the different London condition, the light of the social ubiquity there, of the acceptable M. P. and that of the social

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frequency even of his more equivocal hereditary colleague. A London nestling under the towers of Westminster, yet practically void of members of the House of Commons, and with the note of official life far from exclusively sounding, that might have been in those days the odd image of Washington, had not the picture been stamped with other variations still. These were a whole cluster, not instantly to be made out, but constituting the unity of the place as soon as perceived; representing that finer extract or essence which the self-respecting observer is never easy till he be able to shake up and down in bottled form. The charming company of the foreground then, which referred itself so little to the sketchy back-scene, the monstrous Dome and Shaft, figments of the upper air, the pale colonnades and mere myriad-windowed Buildings, was the second of the two faces, and the more one lived with it the more, up to a certain point, one lived away from the first. In time, and after perceiving *how* it was what it so agreeably was, came the recognition of common ground; the recognition that, in spite of strange passages of the national life, liable possibly to recur, during which the President himself was scarce thought to be in society, the particular precious character that one had apprehended could never have ripened without a general consensus. One had put one's finger on it when one had seen disengage itself from many anomalies, from not a few drolleries, the superior, the quite majestic fact of the City of Conversation pure and simple, and positively of the only specimen, of any such intensity, in the world.

That had remained for me, from the other time, the properest name of Washington, and nothing could so interest me, on a renewal of acquaintance, too long postponed and then too woefully brief, than to find my description wholly justified. If the emphasis added by "pure and simple" be invariably retained, the description will continue, I think, to embrace and exhaust the spectacle, while yet leaving it every inch of its value. Clearly quite immeasurable, on American ground, the value of such an assertion of a town-type directly opposed to the unvarying American, and quite unique, on any ground, so organized a social indifference to the vulgar vociferous Market. Washington may, of course, *know* more than she confesses—no community could perhaps really be as ignorant as Washington used at any rate to look, and to like to look, of this particular thing, of "goods"

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and shares and rises and falls and all such sordidities; but she knows assuredly still the very least she can get off with, and nothing even yet pleases her more than to forget what she does know. She unlearns, she turns her back, while London, Paris, Berlin, Rome, in their characters of political centres, strike us as, on the contrary, feverishly learning, trying more and more to do the exact opposite. (I speak, naturally, as to Washington, of knowing actively and interestedly, in the spirit of gain—not merely of the enjoyed lights of political and administrative science, doubtless as abundant there as anywhere else.) It might fairly have been, I used to think, that the charming place —charming in the particular connection I speak of—had on its conscience to make one forget for an hour the colossal greed of New York. Nothing, in fact, added more to its charm than its appearing virtually to invite one to impute to it some such vicarious compunction.

If I be reminded, indeed, that the distinction I here glance at is negative, and be asked what then (if she knew nothing of the great American interest) Washington did socially know, my answer, I recognize, has at once to narrow itself, and becomes perhaps truly the least bit difficult to utter. It none the less remains distinct enough that, the City of Conversation being only in question, and a general subject of all the conversation having thereby to be predicated, our responsibility is met as soon as we are able to say what Washington mainly talked, and appears always to go mainly talking, about. Washington talks about herself, and about almost nothing else; falling superficially, indeed, on that ground, but into line with the other capitals. London, Paris, Berlin, Rome, goodness knows, talk about themselves: that is, each member of this sisterhood talks, sufficiently or inordinately, of the great number of divided and differing selves that form together her controlling identity. London, for instance, talks of everything in the world without thereby for a moment, as it were, ceasing to be egotistical. It has taken everything in the world to make London up; so that she is in consequence simply doomed never to get away from herself. Her conversation is largely, I think, the very effort to do that; but she inevitably figures in it but as some big buzzing insect which keeps bumping against a treacherous mirror. It is in positive quest of an identity of some sort, much rather—an identity other

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than merely functional and technical—that Washington goes forth, encumbered with no ideal of avoidance or escape; it is about herself *as* the City of Conversation precisely that she incessantly converses; adorning the topic, moreover, with endless ingenuity and humor. But that, absolutely, remains the case; which thus becomes one of the most thorough, even if probably one of the most natural and of the happiest, cases of collective self-consciousness that one knows. The spectacle, as it at first met my senses, was that of a numerous community in ardent pursuit of some workable conception of its social self, and trying meanwhile intelligently to talk itself, and even this very embarrassment, into a *subject* for conversation. Such a picture might not seem purely pleasing, on the side of variety of appeal, and I admit one may have had one's reserves about it; reserves sometimes reflected, for example, in dim inward speculation—one of the effects of the Washington air I have already glanced at—as to the amount of response it might evoke in the diplomatic body. It may have been on my part a morbid obsession, but the diplomatic body was liable to strike one there as more characteristically "abysmal" than elsewhere, more impenetrably bland and inscrutably blank; and it was obvious, certainly, that their concern to help the place intellectually to find itself was not to be expected to approach in intensity the concern even of a repatriated absentee. You were concerned only if you had, by your sensibility, a stake in the game; which was the last thing a foreign representative would wish to confess to, this being directly opposed to all his enjoined duties. It is no part of the office of such personages to assist the societies to which they are accredited to find themselves—it is much more their mission to leave all such vaguely and, so far as may be, grotesquely groping: so apt are societies, in finding themselves, to find other things too. This detachment from the whole mild convulsion of effort, the considerate pretence of not being too aware of it, combined with latent probabilities of alarm about it no less than of amusement, represented, to the unquiet fancy, much more the spirit of the old-time Legations.

What *was*, at all events, better fun, of the finer sort, than having one's self a stake in the outcome?—what helped the time (so much of it as there was!) more to pass than just to join in the so fresh experiment of constitutive, creative talk? The boon, it

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should always be mentioned, meanwhile went on not in the least in the tone of solemnity. That would have been fatal, because probably irritating, and it was where the good star of Washington intervened. The tone was, so to speak, of *conscious* self-consciousness, and the highest genius for conversation doubtless dwelt in the fact that the ironic spirit was ready always to give its very self away, fifty times over, for the love, or for any quickening, of the theme. The foundation for the whole happy predicament remained, moreover, of the firmest, and the essence of the case was to be as easily stated as the great social fact is, in America, whether through exceptions or aggravations, everywhere to be stated. Nobody was in "business"—that was the sum and substance of it; and for the one large human assemblage on the continent of which this was true the difference made was true. Nothing could strike one more than that it was the only way in which, over the land, a difference could be *made,* and than how, in our vast commercial democracy, almost any difference—by which I mean almost any exception—promptly acquires prodigious relief. The value here was at once that the place could offer to view a society, the only one in the country, in which Men existed, and that that rich little fact became the key to everything. Superficially taken, I recognize, the circumstance fails to look portentous; but it looms large immediately, gains the widest bearing, in the light of any direct or extended acquaintance with American conditions. From the moment it is adequately borne in mind that the business-man, in the United States, may, with no matter what dim struggles, gropings, yearnings, never hope to be anything *but* a business-man, the size of the field he so abdicates is measured, as well as the fact of the other care to which his abdication hands it over. It lies there waiting, pleading from all its pores, to be occupied—the lonely waste, the boundless gaping void of "society"; which is but a rough name for all the *other* so numerous relations with the world he lives in that are imputable to the civilized being. Here it is then that the world he lives in accepts its doom and becomes, by his default, subject and plastic to his mate; his default having made, all around him, the unexampled opportunity of the woman—which she would have been an incredible fool not to pounce upon. It needs little contact with American life to perceive how she *has* pounced, and how, outside business, she has made it over in

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her image. She has been, up to now, on the vast residual tract, in peerless possession, and is occupied in developing and extending her wonderful conquest, which she appreciates to the last inch of its extent.

She has, meanwhile, probably her hours of amazement at the size of her windfall; she cannot quite live without wonder at the oddity of her so "sleeping" partner, the strange creature, by her side, with his values and his voids, but who is best known to her as having yielded what she would have clutched to the death. But these are mere mystic, inscrutable possibilities—dreams, for us, of her hushed, shrouded hours: the face she shows, on all the facts, is that of mere unwinking tribute to the matter of course. The effect of these high signs of assurance in her has been—and it is really her masterstroke—to represent the situation as perfectly normal. Her companion's attitude, totally destitute of high signs, does everything it can to further this feat; so that, as disposed together in the American picture, they testify, extraordinarily, to the *successful* rupture of a universal law, the sight is at first, for observation, most mystifying. Then the impunity of the whole thing gains upon us; the equilibrium strikes us, however strangely, as at least provisionally stable; we see that a society in many respects workable would seem to have been arrived at, and that we shall in any case have time to study it. The phenomenon may easily become, for a spectator, the sentence written largest in the American sky: when he is in search of the characteristic, what else so plays the part? The woman is two-thirds of the apparent life—which means that she is absolutely all of the social; and, as this is nowhere else the case, the occasion is unique for seeing what such a situation may make of her. The result elsewhere in Europe generally of conditions in which men have actively participated and to which, throughout, they personally contribute, she has only the old story to tell, and keeps telling it after her fashion. The woman produced by a women-made society alone has obviously quite a new story—to which it is not for a moment to be gainsaid that the world at large has, for the last thirty years in particular, found itself lending an attentive, at times even a charmed, ear. The extent and variety of this attention have been the specious measure of the personal success of the type in question, and are always referred to when its value happens to be challenged. "The

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American woman?—why, she has beguiled, she has conquered, the globe: look at her fortune everywhere and fail to accept her if you can."

She has been, accordingly, about the globe, beyond all doubt, a huge success of curiosity; she has at her best—and far beyond any consciousness and intention of her own, lively as these for the most part usually are—infinitely amused the nations. It has been found among them that, for more reasons than we can now go into, her manner of embodying and representing her sex has fairly made of her a new human convenience, not unlike fifty of the others, of a slightly different order, the ingenious mechanical appliances, stoves, refrigerators, sewing-machines, type-writers, cash-registers, that have done so much, in the household and the place of business, for the American name. By which I am, of course, far from meaning that the revelation has been of her utility as a domestic drudge; it has been much rather, in the fact that the advantages attached to her being a woman at all have been so happily combined with the absence of the drawbacks, for persons intimately dealing with her, traditionally suggested by that condition. The corresponding advantages, in the light of almost any old order, have always seemed inevitably paid for by the drawbacks; but here, unmistakably, was a case in which—as at first appeared, certainly—they were to be enjoyed very nearly for nothing. What it came to, evidently, was that she had been grown in an air in which a hundred of the "European" complications and dangers didn't exist, and in which, also, she had had to take upon herself a certain training for freedom. It was not that she had had, in the vulgar sense, to "look out" for herself, inasmuch as it was of the very essence of her position not to be threatened or waylaid; but that she could develop her audacity on the basis of her security, just as she could develop her "powers" in a medium from which criticism was consistently absent. Thus she arrived, full-blown, on the general scene, the least criticised object, in proportion to her importance, that had ever adorned it. It would take long to say why her situation, under this retrospect, may affect the inner fibre of the critic himself as one of the most touching on record; he may merely note his perception that she was to have been after all but the sport of fate. For why need she originally, he wonders, have embraced so confidently, so gleefully, yet so unguardedly, the terms offered

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her to an end practically so perfidious? Why need she, unless in the interest of her eventual discipline, have turned away with so light a heart after watching the Man, the deep American man, retire into his tent and let down the flap? She had her "paper" from him, their agreement signed and sealed; but would she not, in some other air and under some other sky, have been visited by a saving instinct? Would she not have said "No, this is too unnatural; there must be a trap in it somewhere—it's addressed really, in the long run, to making a fool of me?" It is impossible, of course, to tell; and her case, as it stands for us, at any rate, is that she showed no doubts. It is not on the American scene and in the presence of mere American phenomena that she is even yet to be observed as showing them; but does not my digression find itself meanwhile justified by the almost clear certainty that the first symptoms of the revulsion—of the *con*vulsion, I am tempted to say — must break out in Washington?

For here (and it is what I have been so long in coming to), here alone, in the American world, do we catch the other sex not observing the agreement. I have described this anomaly, at Washington, as that of Man's socially "existing"; since we have seen that his fidelity to his contract throughout the country in general has involved his not doing so. What has happened, obviously, has been that his reasons, at a stroke, have dropped, and that he finds himself, without them, a different creature. He has discovered that he *can* exist in other connections than that of the Market, and that all he has therefore to settle is the question of whether he may. The most delicate interest of Washington is the fact that it is quite practically *being* settled there—in the practical way which is yet also the dramatic. *Solvitur ambulando;* it is being settled—that is the charm—as it goes and without discussion. It would be awkward and gross to say that Man has dealt any conscious blow at the monopoly of his companion, or that her prestige, as mistress of the situation, has suffered, in any manner, a noted abatement. Yet, none the less, as he has there, in a degree, socially found himself, and, allured by the new sense, is evidently destined to seek much further still, the sensible effect, the change of impression on one's coming from other places, is of the most marked. Man is solidly, vividly, present, and the presence of Woman has, therefore, for the

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proposed intensity, to reckon with it. The omens on behalf of the former appearance are just now strikingly enhanced, as happens, by the accident of the rare quality, as it were, of the particular male presence supremely presiding there; and it would be strange, certainly, that this idea of the re-committal to masculine hands of some share at least in the interests of civilization, some part of the social property and social office, should not, from so high an example, have received a new impulse and a new consecration. Easily enough, if we had space here to consider it, might come up the whole picture of the new indications thus afforded, the question of the degree in which a sex capable, in the American air, of having so despoiled itself may really be capable of retracing its steps and repairing its mistake. It would appear inevitable to ask whether such a mistake on such a scale *can* prove effectively reparable—whether ground so lost *can* be effectively recovered. Has not the American woman, with such a start, gained such an irreducible advance, on the whole high plane of the amenities, that her companion will never catch up with her? This last is an inquiry that I must, alas, brush aside, though feeling it, as I have already noted, *the* most oddly interesting that the American spectacle proposes to us; only saying, provisionally, that the aspect of manners through the nation at large offers no warrant whatever for any prompt "No" to it.

It is not, however, of the nation at large I here speak; the case is of the extremely small, though important and significant, fraction of the whole represented by the Washington group —which thus shows us the Expropriated Half in the very act of itself pondering that issue. Is the man "up to it," up to the major heritage, the man who *could,* originally, so inconceivably, and for a mere mess of pottage, if there ever was one, let it go? "Are we up to it, really, at this time of day, and what on earth will awfully become of us if the question, once put to the test, shall have to be decided against us?" I think it not merely fanciful to say that some dim, distressful interrogative sound of that sort frequently reached, in the Washington air, the restless analyst—though not to any quickening of his own fear. With a perfect consciousness that it was still early to say that the data are as yet insufficient and that the missing quantity must absolutely be found before it can be weighed and valued, he was none the less struck with the felicity of many symptoms, and would fairly

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have been able to believe at moments that the character hitherto so effaced has but to show the confidence of taking himself for granted. That act of itself reveals, restores, reinstates and completes him. Is it not, for that matter, essentially implied in our recognition of the place as the City of Conversation? The victim of effacement, the outcast at the door, has, all the while we have been talking of him, *talked himself* back; and if anything could add to this happy portent it would be another that had scarcely less bearing. Nowhere more than in Washington, positively, were the women to have struck me as naturally and harmoniously in the social picture—as happily, soothingly, proportionately, and no more than proportionately, participant and ministrant. Hence the irresistible conclusion that with the way really shown them they would only ask to take it; the way being their assent to the truth that the abdication of the Man proves ever (after the first flush of their triumph) as bad really for *their* function as for his. Hence, in fine, the appearance that, with the proportions re-established, they will come to recognize their past world as a fools' paradise, and their present, and still more their future, as much more made to endure. They could not, one reasoned, have been, in general, so perfectly agreeable unless they had been pleased, and they could not have been pleased without the prospect of gaining, by the readjusted relation, more, on the whole, than they were to lose; without the prospect even again perhaps of truly and insidiously gaining more than the other beneficiary. That *would* be, I think, the feminine conception of a readministered justice. Washington, at such a rate, in any case, might become to them as good as "Europe," and a Europe of their own would obviously be better than a Europe of other people's. There are, after all, other women on the other continents.

HENRY JAMES.

(To be continued.)

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THE MASTERY OF THE DESERT.

BY FRANK W. BLACKMAR.

THE theory of a Great American Desert, stretching over boundless wastes in the interior of the continent, was one of the most persistent ideas in the historical development of our nation. Based upon the meagre facts obtainable by indirect methods, this theory was, largely, the product of the vivid imagination of writers who felt and travellers and explorers who suffered. Philosophers, historians, and scientists have contributed to the dream, and the statesman has ever been prone to concede what he considered the inevitable.

Perhaps the first suggestion of the myth of the desert came from Thomas Jefferson, who thought that the great inland territory west of the Mississippi would be of comparatively little value to the United States. In the purchase of Louisiana, he seemed to be thinking only of a strip of land which would protect our Western frontier, rather than of a great territory to be filled with a teeming population. But there was no real knowledge of this country at the time of Jefferson. It was a boundless territory, unknown as to soil, climate, and possibilities of civilization. It appears that the explorations of the Spaniards in the interior and on the Pacific Coast were little known by the inhabitants of the Atlantic seaports. And so for years afterwards, through conjecture, various reports of travellers, and the flight of imagination, this region was known as "The Great American Desert."

The real foundation of this myth was perhaps laid in the expedition of Zebulon M. Pike, who crossed the plains to the Rocky Mountains in 1808 and 1809. It is true that the famous expedition of Lewis and Clarke had revealed something of the vastness of the territory, but as they kept very close to the Missouri and Columbia, they could learn very little of the possibilities of the

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country. But the object of the expedition was to discover a route for commerce to the Pacific rather than to make a detailed description of the country and the lands beyond the Mississippi. Pike's expedition, however, yielded some statements in regard to the territory, which were taken as correct. Speaking of the fertility of the soil, he says: "From the Missouri to the head waters of the (Little) Osage River, a distance, in a straight line, of probably three hundred miles, the country will admit of a numerous, extensive, and compact population. Thence, on the rivers Kansas, La Platte, Arkansas, and their various tributaries, it appears to me to be only possible to introduce a limited population on their banks." This limits the fertile territory nearly to the boundaries of the State of Missouri.

Again, he says, in characterizing this territory: "These vast plains of the Western Hemisphere may become in time as celebrated as the sandy deserts of Africa; for I saw, in my route, in various places, tracts of many leagues where the wind had thrown up the sand in all the fanciful forms of the ocean's rolling wave, and on which not a speck of vegetable matter existed." And, in his conclusion, he states: "But from the immense prairies there arises one advantage to the United States, viz., the restriction of our population to some certain limits, and thereby a continuance of the Union. Our citizens being so prone to rambling and extending themselves on the frontier will, through necessity, be constrained to limit their extent on the West to the boundaries of the Missouri and the Mississippi, while they leave the prairies incapable of cultivation to the wandering and uncivilized aborigines of the country." There is in this statement a hint of the possibility of material injury to the nation resulting from the too rapid exploration of the country and from the practice of extensive, to the neglect of intensive, agriculture.

Long's expedition of 1819 and 1820 rather emphasizes this characterization given by Pike. In speaking of the country east of the meridian which passes through Council Bluffs, he asserts that it will support a large population, but that "the scarcity of timber, mill sites, and sources of water, difficulties that are almost uniformly prevalent, must for a long time prove serious impediments in the settling of the country. Large tracts are often to be met with exhibiting scarcely any trace of vegetation." When it is observed that, within this territory, we have now the

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northern part of Missouri, nearly all of the fertile State of Iowa, and a large part of the grain belts of Minnesota, it is easy to realize that the possibilities of the country were unthought of by the chronicler. Of the country west of this meridian, the report states: "In regard to this extensive section of the country, we do not hesitate in giving the opinion that it is almost wholly unfit for cultivation and, of course, unhabitable by people depending upon agriculture for their subsistence."

But, having taken this melancholy view of the land, he finally discovers that this vast territory may be of some use to the United States, and he reiterates the opinions of Jefferson and Pike in the following paragraph: "This region, viewed as a frontier, may prove of infinite importance to the United States, inasmuch as it is calculated to serve as a barrier to prevent too great an extension of our population Westward and secure us against the machinations of an enemy that might otherwise be disposed to annoy us in that quarter." He closed by saying: "From the minute account given in the narrative of the particular features of this expedition, it will be perceived to be a manifest resemblance to the deserts of Siberia." In this he refers to the whole distance to the Rocky Mountains.

Now come the first reports of the territory beyond, in which the boundaries of the desert are extended to the Pacific Coast. He says, in speaking of the country beyond the Rocky Mountains: "It is a region destined, by the barrenness of its soil, the inhospitable character of its climate, and by other physical defects, to be the abode of perpetual desolation."

These reports of Pike and Long laid the foundation for the discussion of the subject in future years. So we find, thereafter for a period of fifty years, in the school geographies and atlases and in other descriptions of the country, a representation of The Great American Desert. Woodbridge and Willard published a geography for schools in 1824, in which they reflected the statements of Long and Pike, except that they mention that the soil between the Missouri and the Mississippi is very fertile, but that, lacking in water and timber, settlement would be impeded. They seem to have discovered, somewhere south of the Missouri and extending to the Red River, a swamp two hundred miles in length and five to thirty in width. They give a full description of the country, a part of which may be stated as follows:

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"From longitude 96, or the meridian of Council Bluffs, to the Chippewan Mountains is a desert region of four hundred miles in length and breadth, or about sixteen hundred miles in extent. . . . On approaching within one hundred miles of the Rocky Mountains, their snow-capped summits become visible. Here the hills become more frequent, and elevated rocks more abundant, and the soil more sterile, until we reach the abrupt chain of peaks which divide it from the Western declivities of North America. Not a thousandth part can be said to have any timber growth, and the surface is generally naked. . . . The predominant soil of this region is a sterile sand, and large tracts are often to be met with which exhibit scarcely a trace of vegetation. The salts and magnesia mingled with the soil are often so abundant as to destroy vegetation. The waters are, to a great extent, impure and frequently too brackish for use. . . . The Valley of the Canadian River is covered to a great extent with salt incrustations resembling ice or snow in its appearance. The waters of this river are so impregnated with salt as to be unfit for use, and this is the case with other tributaries of the Arkansas and of the Red River. . . . Agreeably to the best intelligence we find, the country, both northward and southward of that described, commencing near the sources of the Sabine and Columbia, and extending to the northern boundaries of the United States, is throughout of the same character."

Again, in Carey and Lee's atlas of 1827, the Great American Desert covers an indefinite territory in Colorado, Kansas, Nebraska, Indian Territory, and Texas. Mitchell, in his "Accompaniment to Reference and Distance Map," published in 1835, states that a large portion of this country may be likened to the Great Sahara or African Desert. In 1838, Bradford's atlas of the United States indicated the great desert as extending from the Arkansas through into Colorado and Wyoming, including South Dakota, part of Nebraska, and Kansas. Here also was an indefinite boundary suggesting an unknown country.

Perhaps Irving, in his "Astoria," which appeared in 1836, gave the most forcible impulse to this notion of the great interior. In his association with the northwest customs officials at Montreal, he listened to many stories of adventure, and he states: "I was at an age when imagination lends color to everything, and the stories of these Sindbads of the wilderness made the life of a trapper and a fur-trader perfect romance to me." Subsequently, he made a brief tour on the prairies and into Missouri and Arkansas, and then was prepared to write "Astoria," in which he gives graphic pictures of the plains. But he prefaces this charming book with the significant statement that "the work I here

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present to the public is necessarily of a rambling and somewhat disjointed nature, comprising various expeditions by land and sea." While it is a book full of interest, the Sindbads of the wilderness and Irving's imagination fail to give sufficient data to enable us to form a clear judgment of the country.

As to the nature of this country, Irving has this to say:

"This region, which resembles one of the ancient steppes of Asia, has not inaptly been termed The Great American Desert. It spreads forth into undulating and treeless plains and desolate sandy wastes, wearisome to the eye from their extent and monotony. . . . It is a land where no man permanently abides, for at certain seasons of the year there is no food for the hunter or his steed. Such is the nature of this immense wilderness of the Far West, which apparently defies cultivation and habitation of civilized life. Some portions of it along the rivers may partially be subdued by agriculture, others may form vast pastoral tracts like those of the East; but it is to be found that a great part of it will form a lawless interval between the abodes of civilization, more like the wastes of the ocean, or the deserts of Arabia, and like them be subject to the depredation of marauders."

Soon after came the great struggle over the Oregon Territory, during which an attempt was made to show the boundless wastes of desert that existed between the extended possessions of the United States and the Pacific Coast. Greenhow's "History of Oregon," which appeared in 1846, took up the statement of Long, and emphasized his frightful pictures of the country. It says:

"One most important fact, in a geological point of view, was completely established by the observation of the party, viz.: that the whole division of North America drained by the Missouri and the Arkansas and their tributaries, between the meridian at the mouth of the Platte and the Rocky Mountains, is almost unfit for cultivation and thus uninhabitable for people dependent on agriculture for subsistence. The portion for almost five hundred miles, extending from the thirty-ninth to the forty-ninth parallels of latitude, was indeed found to be a desert of sand and stones, and subsequent observations have shown the adjoining regions to a great distance west of those mountains to be yet more arid and sterile."

From this time on, the geographies continued to represent The Great American Desert on their maps and the explorers continued to talk of the sterility of the region which now extended from the meridian passing through Council Bluffs to that unknown region beyond the Rocky Mountains. Mitchell's School Atlas in 1840 pictured The Great American Desert west of the Rocky

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Mountains, and described it as a great sandy desert, running from Arizona to the northern boundary of Nevada, covering the entire territory between the Rocky Mountains and the Sierra Nevada. Smith's Geography in 1844 had the same statement, with the exception that the Nevada-California Desert was called the Great Sandy Plains. Smith repeats the same in his editions of 1847 and 1850. The geographies continued to represent these ideas down to the year 1870, though the desert grew smaller and smaller and finally became eliminated.

The settlement of Kansas and Nebraska in the fifties and sixties tended, to a certain extent, to eliminate the desert idea. In the mean time, the expeditions of the United States Government, especially those of Fremont and Kearney, and the surveys for the great transcontinental railroads, tended to clear up the matter by degrees, though we still find that the magazines continued to discuss The Great American Desert. In the NORTH AMERICAN REVIEW in 1858 is a paragraph on the report of Lieutenant G. K. Warren on the Missouri and the Great Plain. The eastern line of the desert has now moved up to central Kansas and Nebraska, but the author says:

"Supposing, however, that with central Nebraska and Kansas civilization outside of the river bottoms must cease, the question arises, What effect will this important fact have on these young territories themselves, as well as on the country at large? Nebraska and Kansas will, in that case, be the shores at which will terminate a vast ocean desert nearly one thousand miles in breadth."

Again, in the "Westminster Review" for July, 1867, a writer is trying to point out that the Hudson Bay Company has taken lands to itself which are fertile and valuable, and has tried to create the impression that the lands are worthless. In speaking of the territory south of the northern boundary of the United States, he says:

"From the Valley of the Mississippi to the Rocky Mountains, the United States territory consists of an arid tract extending south nearly to Texas, which has been called The Great American Desert. This sterile region covering such an immense extent of area, covers but a few miles of fertile land. Nature, marching from East to West, showered her bounty on the United States until she reached the Mississippi, but there she turned aside and went northward to favor British territory."

The explorations for transcontinental railroads near the forty-seventh and forty-ninth parallels, from St. Paul to Seattle, and

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near the forty-first and forty-second through South Pass from Council Bluffs, and near the thirty-eighth and thirty-ninth westward to San Francisco, rendered considerable information about the country. But, in all the surveys carried on by the Government, and in all the scientific expeditions, there seem to have been no methodical efforts to show the nature of the soil and its adaptability to agriculture. The general descriptions of climatic conditions and the fauna, flora, and geology of the country were without serious discussion of the possibility of agriculture.

In an article published by General Hazen in the NORTH AMERICAN REVIEW, in January, 1875, based on his investigations during a long residence in the territory described, is given the most scientific description of the country put in print up to that date. He claims that the railroads and land-agents in the interest of Nebraska and Kansas had exaggerated their agricultural possibilities. General Hazen states that two hundred miles from Omaha good agricultural land is found, but after that nothing but barrenness. He states that the Western limit of our agricultural land had been reached by settlers along the frontier from the Rio Grande to the forty-ninth parallel of latitude. Among other things, he specifically states that the western half of Kansas is unfit for agriculture, and that the Solomon, Republican, and Saline rivers rise in the northern part of it in numerous small branches, giving some small strips for irrigation, but, as a rule, the soil is unsusceptible of agriculture and unfit for settlement. We now know that much of the land described in Kansas and Nebraska has turned out to be good agricultural land, producing some of the finest crops of wheat in the world. Indeed, as if to defy the opinions of men, nature has extended the wheat belt to the Colorado line. As farmers have learned to handle the soil and adapt agricultural methods to the climate and the soil, the agricultural belt has continually widened. Also, to a certain extent, the processes of agriculture have noticeably affected the rainfall and the climate. General Hazen refers to the following statement of Mr. Blodget of the Government Service:

"This great arid region may be said to embrace ten degrees of longitude and seventeen of latitude in the United States, . . . drained only by the great Colorado and Columbia Rivers. So arid is the Great Basin that fully two hundred thousand square miles has not a sufficient rainfall to require any drainage at all."

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It is evident that in this statement he includes the region west of the Rocky Mountains.

Some attempts were made in 1862, by the Union Pacific Railroad, to experiment on its land in regard to the possibilities of agriculture, but all grains and grasses failed for want of water. All trees failed but the catalpa, honey-locust, and box-elder.

General Hazen estimated in his report that the possible arable land of Arizona was not more than one million acres, and that of New Mexico the same, Colorado having only two millions. We find at the present time that Arizona has an acreage of about two millions already under cultivation; Colorado, of nearly ten millions; New Mexico, of five millions of acres of land, all under cultivation within thirty years from the time General Hazen made his dismal statement. One conclusion that he reached is the following:

"The phenomenon of the formation and rapid growth of new, rich, and populous States will no more be seen in our present domain, and we must soon face a condition of facts utterly new in the economy of the country, when not new but old States must make room for the increase of population, and thereby receive a fresh impetus."

The final stroke which destroyed the terror of the desert, exploded its myths and reduced its legends to matters of fact, was a report of Major Powell, in 1879, on the "Lands of the Arid Region." It was a report on the whole interior region, from the humid regions of the East to the Pacific Ocean, based upon the rainfall and the water-supply. All the lands having an annual rainfall below twenty inches are called "arid." Those having a rainfall of from twenty to twenty-eight inches are called the "sub-humid" region. The western boundary of this sub-humid region runs along on the 100th meridian. About four-tenths of all the land in the United States, exclusive of Alaska, at the time the report was written, was included in the arid district. About one-tenth of the land was found in the sub-humid region. Major Powell characterizes the sub-humid region as a land subjected more or less to disastrous droughts, the frequency of which will diminish from West to East. He also asserts that agriculture cannot have an assured success in a country where the rainfall is twenty inches or less, and he doubts whether, because of the alternation of drought and harvest, agriculture will prove re-

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munerative in the arid region. Not only has rainfall been more regular in recent years, but it has been found that some crops may be successfully grown on land where the annual rainfall is less than twenty inches. Add to these facts the study of the soil and the seasons, and the adaptability of a variety of crops, and the actual results have been far different from the inferences drawn from the report.

Recently a new method of agriculture, known as the "dry system," permits the successful cultivation of the soil of the uplands having a scant rainfall. Thousands of acres in western Kansas and eastern Colorado have been taken up recently for this method of culture. However, Major Powell makes a general estimate of the water-supply, the amount of irrigable lands, timber-lands, and pasture-lands, all of which was of great value in the settlement of the arid region. After this report, while people might talk about the desert in a general way, or about particular districts, the conception of The Great American Desert changed or passed away.

In the map which Major Powell published in connection with his work, no mention is made of any desert in America except a small district southwest of the Great Salt Lake, a territory less than twice the size of the small State of Rhode Island, known as The Great Salt Lake Desert. The official map of the United States of 1900 recognizes this desert under the name of Great Salt Lake Desert. The geographies used in our public schools still call it The Great American Desert. They also recognize a desert in southern California and Nevada, east of the Sierra Nevada Mountains. But now the former desert is circumscribed by two railroads which pass through a portion of it, while a third line is surveyed across it. Only a few years will elapse before the term "desert" will cease to be used in connection with any part of the territory of the United States.

But is there no real desert, apart from the myth which existed in the minds of geographers and philosophers? Within the boundaries of this immense territory, designated by Major Powell as "the arid region," are many districts which partake of all the qualities of the desert. There are indeed rocky steppes, treeless plains, and sandy wastes still in existence to-day. There are wide stretches of land without running water or lakes, and with scarcely any rainfall, covered with sand and sage-brush. Upon

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these dreary wastes the sun pours its intense rays, making the hot air move in undulating waves from the earth's surface, and creating the mirage, the irony and mockery of the desert. The traveller, a faint speck upon the boundless plain, sees by means of the fateful mirage the distant sage-brush suddenly enlarging to trees of good proportion that mirror their forms in inviting waters. But, as he travels on, the vision recedes at his approach, nor does he ever overtake it before the sun passes to the west of the distant mountains and the picture is dissolved.

But, with all of its desolation, the desert is not without its charms; the mountains are always in sight in the dim distance of dust and haze, and when the sun's rays pass behind their huge forms they seem to approach the dweller on the plains and to gather about him as night falls. The air is delightfully cool and charming, even intoxicating, and, as the glare of the sun is removed, in the long twilight or in the early morning, colors of entrancing beauty appear. Those who have dwelt in these dry districts, where small tracts of land could be irrigated or where stock could be pastured, have accustomed themselves to the conditions of life like the animals and plants. They have toughness in their grain and have learned to delight in the attractions of the desert. The climate of the arid region lacks the disagreeable feature of heat and cold—namely, moisture. The excessive heat does not exhaust the system as it does in humid regions, nor does the excessive cold impair the health. When the thermometer registers 110° in the shade in Arizona, the suffering is not so great as at 90° in New York City. Likewise, in the Dakotas 25° below zero is more easily endured than zero weather in Boston.

Little by little, civilization has gradually encroached upon the desolate places. While men were conjecturing as to what was to be done to this practically boundless area of worthless land, the settler has gradually invaded the territory and adapted himself to the development of the resources of the country. First, there came the trappers and the fur-traders, who established their posts along the principal streams of the continent. The Government, to protect the first invaders and to secure the country to itself, planted lines of forts along the principal highways of travel, until the whole territory was dotted with military stations, which opened up the way more fully to the settler and the traveller. The great overland trading routes from Independence,

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Atchison, Leavenworth, and Council Bluffs to Santa Fé, New Mexico, and to Oregon, along the old Santa Fé, Salt Lake, Oregon trails, enlivened the scene and opened up the way for future settlement. The hardy pioneer established his cabin in some fertile spot convenient to fuel and water, and began agriculture and stock-raising in a small way. This advance-guard of civilization, settling down without leave upon "Uncle Sam's" land, suggested the possibilities of the country. Others followed until, by the time of the great transcontinental railroad, the advance-guard had established itself on every plain and in every valley, wherever there was prospect of food and water for man and beast.

The discovery of gold in California gave a great impetus to overland travel, and many who had crossed the plains returned to settle in some favored spot. Thus, the possibilities of the great interior became known. Gradually, too, it appeared that, in their haste to reach the Eldorado of the Pacific Coast, the gold-seekers had passed by untold wealth of coal, iron, copper, gold, silver, zinc, lead, and petroleum, hidden underneath the soil in mountain or plain. The discovery of these has caused the rapid settlement of some districts and added much to the wealth of the country.

Following in the wake of the railroads came the great multitude of people hurrying and scurrying for new lands, and mines, and watercourses, so that this great arid region is developing tremendous wealth of mining, agricultural and pastural products, its population is steadily increasing, and its desert conditions are gradually disappearing through the efforts of the man who digs and toils and subdues nature.

There has been prodigal waste of plain and forest by improper use and by the carelessness of settlers in destroying forests by fire. But those strenuous times, when the whole country was subjected to the savage rule of contending forces, are fast passing away. Gradually the country has yielded to the influences of law and order. There is also a greater utility of the resources of nature. Forests and ranges are protected and the water is quite evenly distributed, so as to yield the largest service to the various members of the community. The laws of irrigation have done much to regulate the property rights in water. It is treated more as a commodity in the market and less as a mere accident of nature.

Irrigation is one of the great aids in the mastery of the desert.

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First, the settler with the small stream irrigating a few acres; then, the rancher with a larger cultivation and followed by great irrigation corporations with thousands of miles of ditches, some of them veritable rivers; and, finally, the reclamation service of the Government, aided and encouraged by President Roosevelt, by means of which some of the most desolate places of the earth will be made "to blossom as the rose." All of these agencies at work will soon make at least 100,000,000 acres of otherwise worthless land the most productive and beautiful parts of our country. Already 10,000,000 acres are devoted to intensive agriculture under irrigation. The best of it all is that the mining, manufacturing and transportation industries of these regions make it possible to absorb the agricultural products to such an extent that the farmers of the Mississippi Valley and other agricultural districts under rainfall need not fear of harmful agricultural competition from lands tilled under intensive agriculture through irrigation.

The millions of money derived from land sales, and appropriated by Congress to carry on irrigation in the arid region, will be of untold value in the utilization of the water-supply. Great reservoirs will be built for the storage of surplus water of the melting snows of the mountains, to be distributed on the land, insuring bountiful crops. When the floods of great rivers are thus stayed and evenly distributed over the plains, immense tracts of land now uncultivated will yield bountiful harvests.

But let us see what has been accomplished already in this arid region of Major Powell's. Let us observe to what extent the real desert has been conquered. Leaving out of consideration the great States of Missouri, Iowa, Minnesota, and Arkansas, comprising a territory nearly all of which was once considered valueless, with a population of over eight millions, and considering only the fifteen States and Territories lying almost wholly in the great "arid region," exclusive of California, comprising a territory of 1,508,210 square miles, we have to note the following statistics: The population within this territory numbered in 1900, 8,771,269; the acreage of farms was 300,380,645. Of these farms, 100,956,487 acres are already improved. The value of the farms in 1900 was $4,006,108,282. The value of agricultural products for 1900 was estimated to be $947,907,104. Of the farm lands, 6,566,738 acres are under irrigation. In addition to this, the mining

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products add $160,000,000 to the growing wealth of the country. But, more marvellous than all this, is the rapid growth in railroad extension throughout this territory. The mileage of railroads had already reached in 1900 the enormous figure of 50,712.96 miles. There are not less than six great transcontinental lines running through the territory, and there soon will be several more. Short lines are extending in every direction into fertile valleys, and to mines and cattle-ranges, opening up the territory and furnishing means of serving increasing population.

The Santa Fé and Oregon trails, still in the memory of men living, are like the stage-coach and the emigrant train, practically unknown to the men who are now building the West. The old cabins and dugouts are replaced by modern dwellings. The great ranges are fast passing into orderly farms, where cultivated crops take the place of wild grasses. Steadily is man's rational selection directing the selection of nature. Even the cowboy, an essential creation of Western conditions, is rapidly passing away. Like the buffalo, he has had his place in the drama of civilization. The Indian of the plain must yield to civilization or pass away. Custer, Cody, Bridger, and Carson did their work and passed on. So did the great caravan of the plains. Pioneers of the old school are giving place to a young and vigorous group of men of intellect, will and ceaseless activity, who are turning the light of scientific discovery on plain and mountain.

Prophesying on the future of America, Coleridge, many years ago, said: "The possible destiny of the United States of America as a nation of a hundred millions of freemen, stretching from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Shakespeare and Milton, is an august conception." We are now prepared to improve on Coleridge, and to say that a nation of two hundred millions of freemen, living under American Common and Statute Law, stretching from the Atlantic to the Pacific, fifty millions of whom occupy the arid region of the continent, where the word "desert" is unknown, will soon be a mighty reality.

FRANK W. BLACKMAR.

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SOME PHASES OF THE ISSUES BETWEEN THE UNITED STATES AND TURKEY.

BY AMERICUS.

THE issues between the United States and Turkey as defined at Constantinople during the past five or six years are easily grouped into four categories:

(1) The elevation of the American Legation to the rank of an Embassy.

(2) Commercial questions, large and small.

(3) Treatment of American religious and educational and philanthropic enterprises within the Ottoman Empire.

(4) Position and treatment of naturalized American citizens, formerly Ottoman subjects, when they return to the Empire.

The order of the items here given is in no sense the official one, nor necessarily that of relative importance. The Department of State at Washington might well give precedence to the commercial questions; our Minister at Constantinople might, wisely or unwisely, place the question of the Embassy in the forefront; American citizens, who happen to be Missionaries in Turkey, might fairly object to having pork and higher educational institutions bracketed in discussion with a Moslem Power whose ceremonial law is largely Jewish; while the Turkish Government would no doubt be only too glad to settle the question of naturalized Americans and leave all the others untouched. But the order in which they are to be attacked and pressed to settlement presents one of the most delicate problems in diplomacy.

Let us examine in detail the issues as defined at Constantinople.

(1) The elevation of the American Legation at Constantinople to the rank of an Embassy is a question involving many lines of international policy that can be intelligently discussed only by the diplomatic lawyers within the Department of State at Washington.

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But the anomalies and disadvantages of the present situation at Constantinople can be understood by any layman. Ever since the subversion of the Sublime Porte in the early eighties by the irresponsible Palace party, the transaction of business through the regular channels—that is, through the Council of Ministers who are supposed to be the regular government of Turkey—has become increasingly difficult and at times completely impossible. Long negotiations conducted by foreigners with these officers of the Sublime Porte reach a stage where little remains to be done but the affixing of the Sultan's signature. In most lands, this would be granted without further delay. But in Constantinople such matters must now be sent up to the Palace, the road to which is barred and guarded by as astute and unscrupulous a set of courtiers as ever surrounded a despotic ruler. Many highly important communications are delayed for years, or never heard of again. Rarely do any return unmutilated, or without additions that defy explanation, or completely nullify the principle sought for. So that diplomatic representatives in Constantinople spend most of their lives in battling with the absurdities and inconsistencies that lie only half concealed between the Sublime Porte and the person of the Sultan. Money here, as in many other situations, has a magic power. But the next best means is the person of an Ambassador. There are, perhaps, many who do not know that, according to usage in Constantinople, an Ambassador may obtain an audience at any time with the Sultan, and force many items through even against the influence of both the Palace and the Porte. But every representative lower than an Ambassador can never appear before the Sultan except when called for by His Gracious Majesty. This invitation can be secured sometimes by indirect means; but when, for any reason, the Sultan does not wish to see a Minister of any foreign Power, the Palace officials can baffle him, if necessary, for years. Now, the American representative is called "Envoy Extraordinary and Minister Plenipotentiary," and is outranked by every Ambassador to Turkey. Hence, he lacks the all-important privilege of approaching the Sultan uninvited. The United States of America is outranked by half a dozen petty kingdoms, whose combined interests do not equal one-half of the interests of our growing nation. The present Minister, Mr. Leishman, has told* a part of the story

* See United States Foreign Relations for 1903.

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of his attempts to secure an audience with the Sultan, when his efforts were baffled for more than two months. The story is pitiful and ludicrous in the hopes deferred, the broken promises and the veiled threats. More than once, he was on the point of leaving Constantinople and severing diplomatic relations. More than once he threatened to break off all relations with the Sublime Porte and address his attentions to the Palace alone. Exactly what this might mean none but old residents of Constantinople could fully explain, but it had the immediate effect of causing the Sultan to send a Chamberlain from his own household and beg Mr. Leishman not to proceed to such an extremity.

So Mr. Leishman has rightly regarded the change from the rank of a Minister to that of an Ambassador as a possible key to the whole situation at this stage. And just as certainly has the Sultan seen that to prevent this change is his best move in the game. The pretext that Turkey cannot afford the expense of an Embassy at Washington is a specious one, even though backed by the fact that the Turkish Minister at Washington has seen no salary for years, and it does not count for much in comparison with the deeper reasons. But as far as the verdict of American citizens living inside the Empire is concerned, from the Minister downwards, there seems to be no better way of ending many of the indignities and difficulties of the situation than by elevating the post to the rank of an Embassy. That the Sultan will oppose this step by every means in his power is an absolute certainty, for the traditions and policy of the United States are far removed from what is right and best in his eyes. His Majesty has far too many Ambassadors shouting in his ears, and he hesitates about increasing the number. It is also true that certain of the other Powers will, just as surely, oppose the entrance of this modern giant, some for one reason, some for another. All the despotic Powers, from Germany through the list to Russia, will oppose, because they are certain that the United States will of necessity range herself with the more enlightened and advanced section of the nations on all questions of civil and religious liberty. In exactly the same way those Powers that view the commercial advance of the United States with fear or suspicion will not welcome her appearance in this centre of empire as one of the greater Powers.

(2) Commercial questions between the United States and

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Turkey are all of recent date. Twenty years ago, they had almost no existence. Those who would understand the magnitude of them must always read the most recent Consular Reports. American rails and bridges are now being sent down the line of the Pilgrimage Railroad. These Consular Reports set forth clearly the many issues that have appeared at points where new enterprises clash with the vested rights and privileges of other nationalities which have been longer in the field. Without attempting to catalogue or analyze these issues, it will be enough to insist upon this one point: that the American Government has abundant cause for all she has done towards Turkey, quite independent of any philanthropic or educational interests that affect citizens of the United States now residing within the Empire.

In this category may be classed all questions concerning property owned by American citizens. For hundreds of years, no foreigner could hold property in the Empire. Not until early in the seventies was a treaty negotiated according to which Americans were allowed to own property in their own names. But the Turkish Government bitterly opposed and hindered any American from holding property as the *agent* of any Society, or company, in his own land, and does not recognize any will or legal paper which wills such property trusts to the real owners at his death. When it is realized that there are a thousand thorny difficulties in the way of transfers, and that the legal expenses of regular transfers frequently amount to five or six per cent. of the total value of the property, it will be seen that commercial and philanthropic enterprises are seriously handicapped in Turkey. Each time the American Missionary or agent moves from the field, the transfer of property to some other name reopens all the difficulties of the situation and involves great expense. When the holder passes away by death, and his heirs are scattered all over the world, the difficulties are increased enormously. Whenever our Government secures the same treatment as France and other nations, property can be transferred to the name of the Society or its Treasurer, and all this problem will be solved. By denying a College or a Mission a firman the Government can worry such an enterprise forever, and according to strict Turkish law can claim the whole or a part of the property of a foreigner dying without heirs. Property given for Christian enterprises might thus be absorbed and used for Mohammedan purposes.

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Now, according to the Capitulations, Missionaries of all countries have a standing, not alone as citizens or subjects of their own countries, but *also as Missionaries* in Turkey. And, as such, their enterprises have been recognized officially for centuries. Where the Turkish Government lives up to this obligation, property can be registered in the name of the Society or its Treasurer, and this constantly recurring trouble and expense avoided forever. As far as I can learn, Turkey is now the only country in the world where philanthropic enterprises are still hampered by such vexatious restrictions. At the time of the Mitylene incident, France demanded and secured the recognition of every religious and philanthropic enterprise, new and old, conducted by French citizens, and at the same time secured the orders for the transfer of all properties held in trust for them to the Societies interested, and insisted that all this should be carried out without the payment of any of the fees or charges demanded in ordinary circumstances. Since then the French Government has extended its postal facilities in Turkish cities by attaching letter-boxes to French property, as she does in her own colonies, and has insisted on the right of French citizens hoisting the French flag over such properties, as though they were in France. Other nations at once demanded and obtained the same treatment for the enterprises and properties of their respective subjects, and they are now in the process of completing these transfers. The American Government made the same demand on September 12th, 1902, for the enterprises and properties controlled by American citizens, and this demand was curtly refused and has been opposed by all kinds of ruses and crooked means.

(3 Treatment of American religious and philanthropic enterprises.

For fifty years, American missionaries, when pressed for *religious* reasons by Turkey, have appealed to the English Ambassadors and Consuls, and let it be recorded and never forgotten that these men have never failed to do all in their power for us and for native Protestants, and have made possible the existence of a Protestant community in the Turkish Empire.

When the American Government secured by treaty the right for her citizens to acquire and hold property, there were no conditions attached other than those applying to all foreigners. Now, Turkish law, as well as the immunities enjoyed by the native

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Christian communities and the regulation of the Capitulations, provides for freeing from taxes, etc., all buildings and properties devoted to religious, educational and philanthropic uses; and American Missionaries once enjoyed these privileges by common courtesy in a large part of their properties. But there came a time, not many years ago, when the Turkish Government began to prefer charges against us for having alienated what was once taxable property without Government permission. In nine cases out of ten, we at once answered the charge (in Syria at least) by paying taxes and securing *tabu* deeds for properties which had been held until then by the old-fashioned court deeds. There are, among our properties, dedicated churches and several large schools that had been recognized more or less fully in firmans and papers issued by the central Government at Constantinople. On these we refused to pay, because they had also more than once been recorded in the Government books as free from all taxes. When we presented our case the Government answered: "You are not recognized by firman," even though we had been working here for more than *seventy* years. When we appealed to our own American Government in the eighties, the position was taken that our long residence and enjoyment of our rights as Americans constituted a virtual treaty, and that we were not to be molested. But this was only a temporary relief from annoyance. All permission to repair, extend or transfer any property, large or small, was denied, on the ground that we were an illegal organization. To make matters worse the Government, in pursuing its demands for taxes, was not content with starting with the date of its demand; but, in dozens of instances, it demanded back taxes for *fifteen* years. This amounted in many cases to a virtual repurchase of the property from the Government.

Then came another series of orders from Constantinople forbidding us to use such properties for church, school or hospital purposes, until we had obtained the imperial permits to do the same. More than once, official notices were printed in the papers threatening to close all our schools at a certain date, if such permits were not obtained. Knowing well that no such permits could be obtained in ten times the time allowed, we appealed to our Government again, and once more the trouble was averted by another imperial rescript suspending the order to close and imperfectly recognizing all our schools that had been open for

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more than ten years. At that time, 1889, we filed lists of all our property and schools with our American Legation at Constantinople, and, according to directions and instructions, made application to the Turkish Government for local school permits which the Turkish Government assured our Legation would be issued promptly. For a period of more than *seven* years, 1890-1897, the writer of this article pursued the matter of these permits in the Government at Damascus, exhausting every resource to complete what the Turkish Government had promised so freely in order to make all our educational enterprise legal. During these seven years, we presented list after list of our 53 schools in that Vilayet; ream after ream of paper was covered with attempts to conform to the regulations. We presented set after set of all the books used in all our schools. Twice all the papers, diplomas of teachers and books were lost, and a third time we renewed them. After seven years we received permits for perhaps one-third of all our schools in the Vilayet of Damascus. We went through the same process of petitions, lists, questions answered, books submitted for all our 60 schools in the Beirut Vilayet, and never received *a single one of the permits promised.* The central Government at Constantinople refused to recognize by firman the various Missions and enterprises conducted by American citizens, and the local authorities, instructed properly from the central source, made it impossible to conform to the local requirements, so that it was plain to all that the Government was against us, and that every apparent concession or promise to legalize our position was a lie or a trick. The attitude of the Government every year since these events (1897) proves this assertion. Other nations resented more vigorously these subterfuges and encroachments, and never suffered as keenly as we. But it remained for France to make the final protest at Mitylene.

Now our condition as Americans has grown steadily worse. Applications for firmans for long-established institutions have been refused; applications for permits to repair or enlarge or to build schools or hospitals have all been shelved, we know not where. We have wearied ourselves and our Legation in attempting to conform to the impossible. Hence, we are now a unit in taking the stand that nothing further can be done until our Government has induced or forced the Sultan to say the one word necessary: *i. e.*, that American interests and enterprises shall be

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accorded the same treatment as those of all other nations. After that, the verifying of the number of the schools, the extent of the properties, what should be freed from taxes, the transfer of the titles, etc., can be attended to as convenient. Until that word of the Sultan has been spoken and recorded, all other processes are sure to be failures.

One of the shrewdest lines of Turkish policy, as seen in the course of its attitude towards all foreign enterprises, has been about as follows. Drastic irades are issued which infringe upon long-established rights or immunities. They are sent out to the local governors, and not for months do the Legations have accurate knowledge of them. Protests are registered; and then the central Government promises to send out another order directing provincial governors *to stay the execution* of these drastic irades. The matter grows cold, and, like ten thousand other Turkish regulations, lies neglected by all. But some years later, the invidious irade is suddenly dug up and put into execution. By that time, many changes have taken place in the Embassies and Legations. The occupants are new at the business of the Turkish Empire. Complaints increase, and, when the matter is again forced upon the notice of the Sultan's ministers, the answer is about as follows: "There is nothing new in this irade. It was promulgated years ago. Objections are no longer in order. They should have been made at the time of its issue." And again the Embassies go through the farce of objecting, and again the Turkish Government leads them all through the long lane of Turkish promises to nowhere. But at each process the Turk has gained something that he is after.

It needs to be repeated and kept in mind that the present situation has not been brought about by any lack, on the part of the Missionaries, of conformity to Turkish laws and regulations; nor has it been by any combination of Missionaries as a class to secure new or wider privileges or immunities. All that Missionaries have done is to join in the general protest against the increasingly intolerant restrictions of the present régime and the secret and open filching away of privileges long enjoyed.

(4) Position and treatment of naturalized American citizens, formerly subjects of the Sultan.

In 1868 Congress declared that "the right of expatriation is a natural and inherent right of all people, indispensable to the en-

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joyment of the rights of life, liberty and the pursuit of happiness," and one of the "fundamental principles of the republic." Soon thereafter (1870), England and the United States, abandoning the old doctrine of the indelibility of natural allegiance, through convention and treaties with many Powers in Europe, opened a free exchange of nationality. Now, for nearly thirty years the American Government has been trying, at longer or shorter intervals, to conclude some sort of a Naturalization Treaty with Turkey, but in vain. Turkey still maintains the most ancient custom in Europe and flatly denies the right of any Ottoman subject to renounce his nationality. Her bitter and uncompromising attitude in religious matters, where no Moslem by any fair means can become a Christian, and where no non-Mussulman heir can inherit anything of a Mussulman's property, is extended very naturally to the matter of citizenship and allegiance. Any Ottoman subject who renounces his allegiance to the Sultan and afterwards visits the Empire is liable to banishment forever; and the property of any individual who has thus abandoned Ottoman nationality, without legal authority to do so, does not even pass to his heirs, whether Ottoman or foreign, but devolves to the state.

In 1855 when the famous edict, the Hatti Hamayun, was issued, professing to "abolish every distinction making any class of the subjects of the Ottoman Empire inferior to any other class on account of their religion, language or race," and establishing, as was thought by all the world, religious liberty in Turkey, many Moslem subjects looked toward a profession of Christianity with favor. But every hope in this direction was dashed rudely to the ground by the declaration of the Government explaining that such was not the meaning and scope of that edict at all! It simply legalized the existence of the Christians, whose very life breath had been before that an illegal thing, according to the Moslem law which offered the sword or the Koran to every human being falling into their power. When England and Germany and other Christian Powers attempted to protect any man who dared to make the attempt at a change of religion from Mohammed to Christ, the Government seized him as a *deserter from military service,* because none but the followers of the Prophet are drafted into the Turkish army. When England pressed forward to protect any such converts, some of the other

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Powers malignantly pointed out the fact to Turkey that, if England's understanding of the famous edict prevailed, she would thereby strike a death-blow at Turkey's military establishment, for it was more than probable that half the Moslems of the Empire at that time would soon have made a nominal profession of Christianity in order to escape the military conscription.

England concluded many treaties with other Powers, and foreseeing the difficulties arising from frauds, possible in lands where the military service is compulsory, soon added some restrictions to her grant of citizenship which have saved her many complications. The English law thus provides:

"An alien, to whom a certificate of naturalization has been granted, shall enjoy all political and other rights and privileges, and be subject to all obligations to which a natural-born British subject is entitled or subject in the United Kingdom, *provided that he shall not, when within the limits of the former state of which he was a subject previously to his obtaining his certificate of naturalization, be deemed a British subject unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect.*"

These italicized clauses have no meaning to the citizen from the United States wishing to become a British subject; but they have a very important bearing upon the applicant from France, from Germany, from Russia and from Turkey. Now, the United States law which claims that "the right of expatriation is a natural and inherent right of all people" makes no exception in the case of Ottoman subjects.

Emigration from Turkey to the United States began with the Bethlehemites in 1875, and has grown to alarming proportions within thirty years. The troubles in Armenia and elsewhere have added impulse to the movement, until the numbers now reach into hundreds of thousands. Prior to 1900, perhaps 95 out of every 100 were Christians; and, seeing that Christian communities pay their taxes in bulk, these absentees were not missed and the Government gave itself little concern, so long as the remainder of the Christian community had to pay the taxes in full for the present and absent. But, a few years ago, the Moslems began to go in large numbers, until it has become the most popular means of escaping the heavy burdens of the military conscription. Those who are drafted yearly from Syria are always sent to the more remote parts of the Empire. In Mace-

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donia they face cold, bloodshed and death; in Yemen they face unbearable heat, hunger and pestilential disease. The fraction who live to return come home after eight or ten years ragged, penniless and ruined in health. By fleeing to the United States they can spend the same number of years in what seems to them heaven. Now, these Moslems almost invariably emigrate to the States for reasons that every one knows. They have learned that, in the matter of citizenship, our fundamental law lays down no restrictions, and that nowhere on the earth can they get so much for nothing! Of these emigrants, perhaps one-third will die in foreign lands, one-third will settle down and one-third will return. But, whether they die or remain away or return, they furnish knotty problems for American Consular representatives in Turkey. Those who remain abroad, as the Armenians, are calling for their wives and children, whom the Turkish Government insists upon holding as hostages, even when demanded by name by our Minister at Constantinople; while those who return and demand their rights as American citizens will open every phase of this strife for civil and religious liberty. The records of the American Consulates in Turkey will give the story of what happens every month in Turkey, but heretofore these troublesome cases have been mainly those of Christians and Jews. From this time forward, we shall hear more of the former Moslem subjects of the Sultan; and, seeing that the American Government is the only Government in the world that stands on the unconditional claim "that the right of expatriation is a natural and inherent right of all people," we are bound to come into conflict with the Sultan, not only on the political but also on the religious horn of the dilemma. Our Government will have to choose between limiting the value of American citizenship, which means a change in "the fundamental law of the land," and protecting these naturalized citizens when they return to Turkey, which brings up a controversy that will shake the foundations of this antiquated system.

I do not presume to offer any solution to these questions. I have referred to the British Naturalization Law, which adds conditions to its grant of nationality. But I do wish to repeat that, whatever may be American claims and grievances at Constantinople, in the Turkish official mind there is no item of international import that causes any such nightmares as this one, be-

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cause it is not only entangled with the rights of Ottoman subjects, but also affects the military establishment and the foundations of the Mohammedan religion. And, furthermore, while the matter of the Embassy may loom large in the mind of the Minister at Constantinople, and while the matter of the American schools and institutions may seem to be the largest feature in the landscape for other people, let it be repeated that our American Government has enough other grievances, political and commercial, to justify amply all it has done in recent years, quite independently of the matter of the Embassy and the schools. Back of all the details, no matter how large they may be, is the fundamental question: Will or will not Turkey accord to the American Government and American citizens the same treatment that she has accorded to other nations and their subjects? If the starred spaces in the Foreign Relations of the United States with Turkey for 1903 were filled out, it would be found that our American Minister in Constantinople had been more than once subjected to treatment such as finds no place in the dealings of *civilized* Powers with each other. American patience and good humor is proverbial; but, when tested beyond the safety point, there is danger of an explosion of something besides expletives.

The "most-favored-nation clause," in modern international politics, is a keen weapon that cuts largely according to the will and heart of the hand that wields the glittering blade. Turkey, rightly from her mediæval point of view, dreads to make this concession in principle to the American Government, because she can see that the United States cannot be ranged in line with the European Powers on many of the most important issues of human struggle and aspiration. We have the confidence, however, that, whatever may be the final tabulated results of diplomatic efforts at Constantinople, God, in His providence, will use the American people and Government to deliver another mighty blow in the interests of civil and religious liberty. For the *same* privileges granted to the United States that have been granted to Russia or Germany will differ in actual results according to the difference of the civil and religious genius of the peoples and nations in question.

AMERICUS.

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MUNICIPAL OWNERSHIP OF PUBLIC UTILITIES.

BY GEORGE STEWART BROWN.

PROGRESSIVE Democrats are for municipal ownership, primarily, because they believe in democracy. They believe (1) that competition in the public services is impracticable; (2) that municipal ownership will pay, either in cash savings to the taxpayer or in cheaper and better service; (3) that municipal ownership is a political necessity, and will remove the main and most threatening source of political corruption.

(1) *Competition in public-service industries is impracticable.* —There is a fundamental difference between a corner grocery, for instance, which can spring up anywhere, and an industry like a gas company, whose very existence depends on a grant from government, and whose first nourishment is the right to use the property of the community, the public streets.

In Baltimore, Maryland, the native city of the writer, there was for a time so-called competition in every public-service industry; the result was some temporary benefit, perhaps, in reduced rates or improved service; but in the end came consolidation, with a capitalization bearing interest on two franchises instead of one, and a not inequitable plea on the part of the combined company to the effect that "you, the people, have forced us to this condition of over-capitalization, and must help us bear the burden."

This has resulted in confusion worse confounded both to the corporations themselves and to the public mind, which has failed to grasp the real nature of the problem. So-called competition in public-service industries is not competition at all,—it is war. The stronger company either buys out the weaker at once without further parley, or it divides the territory with the weaker, if the territory is big enough to divide, and agrees on rates; or it

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temporarily lowers the rates below the point of profit until the weaker succumbs. As a matter of fact, with the exception of the telephone service, industrial public-service war has had but one universal result, consolidation. Not a single instance to the contrary can be cited. The tendency to consolidation has become so strong that lighting companies furnishing different kinds of lights, like gas and electricity, are now combining, although they largely supply a different field and class of customers. No ingenuity of the most skilled lawyers can prevent consolidation. On the other hand, when a few consolidations here and there have been found illegal, a new method has always been invented to keep the separate interests together, or to reunite them in fact if not in name.

Granted that a public service must be a monopoly, the people will not long tolerate a monopoly in private hands. They will perhaps try regulation first; they will sooner or later insist that, if a monopoly, it must be a government monopoly, operated solely for the public benefit, instead of a private monopoly, operated primarily for the purpose of private gain, and only incidentally for the service of the people.

(2) *Municipal ownership will pay.*—One item is almost universally neglected in considering the financial success or failure of city ownership, and that is the capitalized value of the right to do the particular service through the use of the public property in the streets. Let us assume, for illustration, two companies in cities of the same size with their two tramway services, or electric-lighting services, costing the same sum for instalment and with the same rates and an equally efficient management—two business enterprises, that is to say, earning exactly the same amount of money, and identical in their conditions, except that one is public and the other private.

Let us suppose that the value of the actual material property of each, bought and constructed, is $50,000,000, and that the private concern pays interest and dividends on a capitalization of $100,000,000, the other $50,000,000 being the intangible value created by the permit held by the private concern from government to use its combined material properties in connection with the public streets for the required public service.

Thus we have the interest on $50,000,000 saved for our equally efficient city service. That is the saving to the city, or the margin

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of efficiency, which our supposed public concern effects as compared with the equally well-managed private company. Now, in Baltimore, for instance, the attempted easement assessments, under a plan similar to the New York franchise-tax law, amounted to $23,000,000, and they were moderate, because they did not attempt to reach all the intangible value, but only so much of it as came directly from the use of the city streets. Yet this is half the city debt; and, if the same ideal condition had existed in Baltimore as is supposed in our illustration, the effect of public management would have been like cutting the debt in two.

To return to our illustration. Fifty million dollars is paid by the first city to the private company for rendering a governmental function, whereas the other city saved that amount by performing that function itself; or, to state it in a different way, the public concern would have to be only half as efficient as the private company to produce the same result to the city.

It is absurd to attempt to settle finally the right or wrong of the policy of municipal ownership by reference to the results of any specific instance, just as it would be ridiculous to conclude that individual failures or successes in the banking business demonstrated the folly or wisdom of following that business as a calling. Yet Philadelphia, the stock example of the opponents of municipal ownership, is always so quoted, without regard to the question what Philadelphia gained in the increment of franchise value while it held on to its public service. Compare the advantages which Philadelphia gets out of its present lease of the gas-works with the condition of Baltimore with a company operating under a perpetual franchise. Now, Philadelphia's present advantage is due to the fact that, at the time of making the lease, it had a large accrued franchise value to dispose of, and who can say offhand that its long-continued policy of holding on and operating was worse, on the score of past extravagance and debauchery, or better, on the score of present advantages derived incidentally from that very policy?

The writer believes it is a recognition of the value of the capitalized franchise that makes us hold on to the one public service that is generally municipalized, namely, our water-supplies. Logically, our reactionaries should advocate the turning over of our water-supplies to private enterprise. Why not, if municipal ownership is so bad?

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Whatever the reason, we seem to have finally reached the conclusion to hold tight to what we have. For, even in the most reactionary communities, any proposition to give up a municipal water system to private management would be immediately laughed out of court. The veriest tyro can see that now he pays for water the actual cost, namely, the low rates of interest on city capital expended for plant *plus* the actual running expenses of the department, and that any balance goes to a lowering of his tax rate, while, were it farmed out, he would at once begin to pay in addition interest upon the watered flotation of a private company capitalized on its franchise value. Even if he thinks the private company could hire men for lower wages, save money on its supplies and in many other ways, he knows that the new item would largely exceed any such savings; and he also instinctively feels that, as that franchise value grows with increase of population, the capitalization on which he must give a fair return will grow with equal pace.

To show still further that we are conscious of this same idea concerning the franchise value to be given away, it is worthy of note that, in considering the establishment of some new service, such as a subway for underground wires, or a sewerage system, we invariably favor municipal ownership, entirely without respect to making it pay as a business proposition.

In the fight to put the wires underground in Baltimore, it was clearly recognized that the way to do so was by a municipal subway. And here the idea of municipal profit on the transaction was eliminated, the plan being simply to charge enough rental to pay interest and sinking-fund, and thus give the use of the subways to the private companies for cost, simply and solely to get the streets clear of obstructions.

Not charging for the franchise value would probably be the result of the plan proposed as an alternative to municipal ownership and operation; that is, public ownership with private operation. This method would be much preferable to private ownership, because the franchise itself would be reserved, and some day might be utilized without extra cost by the city itself.

Again, in the matter of sewerage in Baltimore, only once was it seriously proposed to farm out the system to a private company. The proposition to grant a franchise was coupled with fair promises of the benevolence the company would show to the city—

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how it would relieve the city from an enormous municipal debt and charge fair and reasonable rates; but immediately, with loud and universal public condemnation, the proposal was buried out of sight. Its opponents called it a scheme for "graft," a "gigantic steal," etc. Why graft? Why a steal? What was there to steal except the franchise value, which, of course, would have been abundantly capitalized? A distinct popular recognition of the point I am trying to make.

The margin of efficiency saved by the reservation of the franchise value, coupled with the lower interest rate on municipal, as compared with private, loans (with the promoters' and bankers' commissions on the latter), must be more than used up by higher wages, political debauchery and extravagance before public operation can become more expensive than private ownership.

Besides, there is no inherent reason why the mob of voters should not obtain as good and successful management as the mob of stockholders.

Again, the increment of franchise value to come from future increase of population is going to be enormous. We all believe in great increases in population in the future in and about our great cities. The franchise or right to serve a city of a million souls will be worth more than twice as much as the franchise to serve half a million. If we buy now from the private owners, including present franchise value, we will save all future increment, with every prospect that the proportionate improvement in the governmental service will be greater every year in the line of increased efficiency. The increase, up to the present time, in the value of public-service capitalizations, has been almost beyond the dreams of avarice. From the moment of municipalization, this will become the property of the people, and accrue to them as reduced rates, better service or lowered tax rates.

(3) *Municipal ownership is a political necessity.*—Public-utility corporations are the chief bulwark and support of the machine, and interest in the questions affecting vested privilege means for the individual showing such interest that he puts himself outside the party pale. Give the "boss" his franchises and the vested interests behind them, and you have the immense modern campaign fund which alone makes the machine possible.

What is the testimony of those who have had practical experience in this matter? Ask La Follette, ask Mark Fagan, ask

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Tom Johnson, ask Folk, ask Weaver, and they will answer, with one accord, that their breach with their party organizations came when they attempted to remedy some abuse which the masters of vested privilege, the franchise-holders, were committing, or to punish the perpetrators thereof. They will testify that it was not the free choice of subordinates, or the suppression of petty and minor graft, that aligned the party "boss" against them. These were sins, but forgivable sins. The one unpardonable sin was to touch with a fearless hand the public-service monopoly question, or to punish those who assist the machine in carrying out its alliance with business privilege.

No one now, conservative or radical, stands for unregulated monopoly, while all thinkers and writers on the subject recognize public services as necessary and natural monopolies; and it is generally admitted that existing political evils are primarily caused by the presence in politics of the public-service corporations, and this admission involves the recognition of the necessity for some remedy. Certain opponents of municipal ownership propose "regulation" and "punishment for the wrong-doer." Now, in the first place, "regulation" means what looks very like a political impossibility. It means that the servant must regulate his master; that the party man, who has been elected as such, must put himself outside the breastworks of the organization by regulating the party's best and ever-faithful friend, the campaign contributor. This is not in human nature. This is why you will so often find the business man in office, honest as the day is long in his private business, but in office particularly careful to carry out his reforms in places where they do not conflict with big business privilege.

The advocates of regulation overlook one point, which, in my opinion, is vital. Regulation of rates or service is always resisted by the owners; and the advocate of regulation is compelled to put himself in constant antagonism with his business associates and social friends, who happen to be owners or managers of the particular service involved. To do this, to interfere with the business interests of those with whom one enjoys the most pleasant personal relations in one's daily walk, is a disagreeable and often dangerous thing for any man to do.

Yet the public official must needs do this, over a long and aggravating period of years, throughout his whole political exist-

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ence, if he is to carry out a policy of regulation, or even attempt to compel the public-service corporations to obey their legal obligations. A battle for municipal ownership would be a comparatively short conflict, and there would be nothing to disturb personal relations, as soon as it became an accomplished fact.

This social and business association, combined with the fear of wrath to come in the shape of a contribution which will set their party machine against them, explains the failure of executive officers, otherwise honest and efficient, to take up, on their own initiative, cases of plain violation of public obligations on the part of these companies. This is what the organizations and the companies mean by a "safe" man. Every nomination for important office is scrutinized from their own point of view by the representatives of these vested interests. Fagan, La Follette, and Johnson are not considered "safe," because they have touched the vital pocket-nerve. To obtain their renominations, they have each been compelled to capture their party, over the heads of its old organization, and practically to construct a new party of their own, and fight the combined power of the public-service corporations, which immediately rallied around the banner of the opposing party. The fact that they have succeeded shows that the people have learned to protect their government, and indicates strongly that they will be responsive to the necessities which municipal ownership brings of a more certain tenure of office in the public service and a greater governmental efficiency.

In every case where "regulation" has seriously been attempted, long and tedious litigation has been the result. Witness Roosevelt's Ford Law which, though passed in 1899, has never yet been enforced. Witness La Follette's rate legislation and Johnson's efforts for three-cent fares. If the litigation is successful, it involves the election of successive administrations, who are firm believers in the same policy, to keep the "regulation" going; and this, in turn, means a continuous political warfare, fraught with all these necessary antagonisms and involving a steady incentive to political corruption, without the definite results municipal ownership would secure.

Municipal ownership is only beginning to be tried in this country, although a start is being made in the electric-lighting service, some 800 plants, large and small, having been established, according to Mr. McCarthy, the legislative statistician of Wisconsin.

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But time enough has not rolled by to make history and show success or failure. Private ownership, on the other hand, has existed for a long time, and yet no important instance can be cited of successful "regulation" in any city. In the cities where it has been attempted, like Chicago, Cleveland, New York and Detroit, the sentiment for municipal ownership is strongest. It is not too much to say that, for political reasons, "regulation" either has not been attempted, or where attempted has failed.

If we are to measure efficiency by something more than dollars and cents, if elements like comfort and convenience and conscience and political freedom are to count for anything, we must by co-operation, through the medium of our city governments, furnish the people with those necessities which, from the nature of the situation, ordinary competitive business cannot furnish, and as to which they must either be protected by government or taxed to make a watered franchise pay.

These are real functions of government according to the true doctrine of "*laissez-faire*." The philosophers of that school did not hesitate to provide a police force to prevent private exploitation, to establish a tax-collecting department instead of farming out the taxing power. But we have handed over the public property in the streets to private corporations, and given them a power, monopolistic in its nature, to furnish public necessities; and within limits the owners have the power to charge or tax the people for this service.

We who believe in public ownership believe in radical reform as we believe in democracy. We want to make democracy free and able to handle the big propositions for popular benefit, as well as the small ones. We hold that, if we merely get good men in office who will look after and trample upon the small grafters, we accomplish something; but to give real justice to the people, we must stop the big leaks involving millions, as well as the small leaks involving hundreds and thousands. To fight the "boss" successfully, you must cut off his supplies, his campaign contributions. You must take away the special privilege of the man behind the "boss," the public-utility captain, and turn him from a natural enemy of government into an ordinary unprivileged citizen and the friend of progress.

GEORGE STEWART BROWN.

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THE PAN-AMERICAN RAILWAY: ITS BUSINESS SIDE.

BY H. G. DAVIS, CHAIRMAN OF THE PERMANENT PAN-AMERICAN RAILWAY COMMITTEE.

THE principles and motives underlying the assembling of Pan-American Conferences are found in the Monroe Doctrine. These conferences are the logical result of the position therein taken of the independence and interdependence of the republics of the Western Hemisphere. It was in December, 1823, that President Monroe sent to Congress his message announcing the position of the United States with respect to these new republics, and the relation of the Governments of the Old World thereto. Emulating the spirit of freedom, which in the colonies of the north had found expression in the formation of a government by the people, the colonies of Spain in the south asserted their independence and became republics. The United States naturally sympathized with these sister republics in their struggles and success, and, from motives not altogether unselfish, perhaps, was anxious that this success should be permanent. To promote the feeling of friendship and to encourage and advance trade relations between this country and the countries to the south, in 1826, Mr. Clay, then Secretary of State under President Adams, endeavored to bring about a general conference of representatives of these governments, and some progress was made to that end. Delegates were appointed, and a number of the southern republics expressed their intention to be represented; but it fell through, as Congress and the Administration were not in political accord.

When the first International American Conference, the inspiration of Mr. Blaine, when Secretary of State, held its sessions in Washington, in 1889-90, its work covered a wide field. The desire of Mr. Blaine was to draw the countries of the Western

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Hemisphere more closely together by practical measures, one of the most important of these being the Pan-American Railway.

Following his suggestion, and with the cooperation of the delegates from the United States and from the other countries, a series of resolutions was adopted in support of the project. The substance of these was in the declaration that a railroad connecting all or most of the nations represented in the Conference would contribute greatly to the development of trade relations between them, and to the growth of their material interests, and also that the best method of facilitating its accomplishment would be the creation of an international commission of engineers to ascertain the possible routes, determine their true length, estimate the cost of each, and compare their respective advantages.

The Congress of the United States made provision for this international commission, and the other republics contributed *pro rata* to defray its expenses. The Commission included Mr. A. J. Cassatt, Chairman, Mr. R. C. Kerens, and myself, as representatives of the United States. It had the cooperation of some of the best railway minds of the country. Under its direction, the intercontinental survey was organized and the instructions of the Conference to ascertain the possible routes, etc., were carried out. Parties of engineers were placed in the field, and surveys and locations were made by them. It was shown that by using railway systems in operation and filling in the gaps between them it would be entirely practicable to secure rail communication between the United States and the Argentine Republic. The results were published by authority of Congress, and have since been utilized by the various governments, and by individuals and companies engaged in railroad building in Mexico, Central America and South America.

The Second International American Conference, at its sessions in the City of Mexico in 1901-02, gave further endorsement to the Pan-American project as a feasible one which merited continued support by the respective governments. It provided for the appointment of Commissioners to visit the republics interested, and report especially on the existing condition of commerce and the prospects for business for an intercontinental line. It also provided for the appointment of a Permanent Pan-American Railway Committee, residing in the United States, which should furnish all possible information as to the work of

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the Intercontinental Railway, and should report to the next Conference on the result of its labors. This Committee is now constituted as follows: H. G. Davis, Chairman; Andrew Carnegie; J. D. Casasus, the Mexican ambassador; C. M. Pepper; A. Lazo-Arriaga.

Under this resolution and the authority of Congress, a Commissioner visited the different countries, while the Committee has pursued the course marked out for it in obtaining and making public all possible information on the subject. The next Conference, the third, is to meet in Rio Janeiro in July, and the Committee, following instructions given, will report to that body what has been accomplished since the Mexican Conference.

Without anticipating these results, which are of great importance, it is proper to take into account the general subject and foundation of the proposed intercontinental trunk line and branches. The basis is a business one, whether looked at from the standpoint of the individual, of a single nation, or of the group of nations which constitute the American Continent. Railroads are built to earn dividends. For the body of stockholders the dividends must depend on the net earnings to be obtained from the traffic that either already exists or is created. The capitalists who supply the funds may have additional reasons, resulting from their ownership of mines, of timber areas, or of agricultural regions whose products can only be made marketable by providing means of communication. Sometimes, therefore, their investments do not depend solely on the actual net earnings. Yet the increased value of lands and the market obtained for their products of every kind are only another form of dividends.

For a nation, the dividends cannot be estimated in direct terms of interest on bonds or of net earnings for capital stock. For it the dividends are the development of the local resources, the wider market obtained for the products of the country, the increase of the population through immigration, and, in a word, the addition to the wealth of the nation. There is also the dividend which cannot be estimated in terms of dollars and cents because it comes from the better knowledge which the people of different regions of the country obtain of one another, and from the cultivation of the national patriotic spirit. This is a clear case of the influence of frequent and cheap communication among diverse sections of a country.

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It is because of the addition to the wealth of the nation by developing its resources and the strengthening of the patriotic bonds which bind the different sections and their inhabitants more closely together, that all progressive governments have aided railway construction. This will always be the policy of a new country with undeveloped resources, or of an old country which seeks to become a modern nation. It was this feeling that caused the United States to spend $400,000 on surveys across the Rocky Mountains, long before any feasible plans for a railroad to the Pacific were attracting the attention of capitalists, and, later, developed into a definite national policy when the Pacific Railways were aided by enormous land grants, subsidies and bond guaranties. When the first transcontinental line was constructed, many wise men doubted whether there ever would be traffic enough to pay the operating expenses. Now there are several of these lines paying very well, and still others projected. No one questions that in the firmness with which the Pacific coast held to the Union during the time of the Civil War, the United States received returns far transcending the aid originally extended to the railways.

Mexico, which has carried out a policy similar to that of the United States, under the enlightened government of General Diaz, has received its dividends in the peace, prosperity and patriotic spirit that have knitted the diverse sections of the country together. When Sir John MacDonald undertook the gigantic enterprise of building the Canadian Pacific Railway, Canada made a like investment, which has returned not only large sums of money, but has resulted in a spirit of national unity.

These instances might be multiplied, if it were necessary to argue seriously that government aid to railway construction by land grants, bond guaranties, cash subsidies, exemption from taxes, and tariff concessions for the admission of construction material, needs justification. Such methods do not need justification; they justify themselves by their results.

The international, like the national, dividends are wider markets and the enlarged trade which come from increasing the means of intercourse between different countries. A better understanding by one people of another people is certainly a desirable result, and this is secured by furnishing means of communication. The international dividend may be said to be one

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of dollars and cents in the way of more commerce, and of peace in the way of avoiding the misunderstandings which come from lack of intercourse.

In the light of these facts, the proposed Pan-American Railway may be said to offer returns to individuals, to the nations as separate republics, and to them as part of the family of nations of the Western Hemisphere. But the question at the root of railroad building always must relate to the commercial advantages, that is, to the traffic. It is not often that a rail line is built for traffic that already exists. Freight follows the rail line. The railway creates tonnage, and tonnage is commerce, both local and international.

The area of South America is slightly less than that of North America, and is nearly twice as large as the United States. With those of Central America and Mexico, it has seventeen separate republics, containing an estimated population of sixty millions of people.

The following tables are interesting, as showing the total annual commerce of all these countries and the share therein of the United States. The figures are from Government sources, and are approximated from the latest available data:

IMPORTS.

	Total of	*From United States*	*Per cent.*
Mexico	$84,487,000	$47,530,000	56
Central America	18,080,000	7,733,000	42
South America	444,014,000	58,944,000	13
Total	$546,581,000	$114,207,000	20

EXPORTS.

	Total of	*To United States*	*Per cent*
Mexico	$96,962,000	$65,095,000	67
Central America	25,038,000	10,205,000	40
South America	629,869,000	136,488,000	22
Total	$751,869,000	$211,788,000	28

ENTIRE COMMERCE.

	Total of	*With United States*	*Per cent*
Mexico	$181,449,000	$112,625,000	62
Central America	43,118,000	17,938,000	41
South America	1,073,883,000	195,432,000	19
Grand Total	$1,298,450,000	$325,995,000	25

It will be seen that with Mexico, with which we have railroad communication, the larger part of her commerce is with the United States; that with Central America, not so closely con-

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nected with us, less than half is with this country; while with South America, it is only nineteen per cent. In the grand total of the trade of all the countries to the south, the United States has twenty-five per cent. We buy two hundred millions, or a third more than we sell them; but it is not really so important which side has the balance, so long as there is a good and growing trade on both sides. What will be noted in any detailed analysis of trade returns is that commerce grows in the ratio in which increased facilities are given, not merely to steamship service, but more especially to means of railway communication.

The steamship service, from its nature, is of little benefit in developing the interior of the country. The coast line does not furnish a large traffic, and the points not reached by railroads create little tonnage. When this tonnage has to be brought to the markets by pack-mules or wagon carts, the cost is often equal to the value of the products. The railway picks up freight every few miles, but the steamship service of South America, on an average, requires a land haul of 150 miles each way, or 300 miles in all. This is one reason, and a strong one, why intercontinental development through railway connection is desirable.

A common illustration, familiar to all railway builders and traffic managers, which may be used, is that of the team with the load of wheat, which, by the time the point of shipment has been reached, has eaten up all the wheat. The same principle applies in mines. Iron ore, coal, copper, silver may exist in great quantities in certain localities, but the mines never will be worked where the cost of transporting the ore is greater than the amount received for it. It is railway lines that make it profitable to develop the mines, and the traffic from this source is always to be considered in providing for railway systems. This probably is more especially necessary with regard to the localities to be reached by the Pan-American System than with those of any other part of the world.

In South America, of late years, the heaviest increase of foreign commerce has been that of the Argentine Republic, which has done most railway building in the last ten or twelve years. Much of this construction has been stimulated by the effort to form a through connection with the railways that will be part of the intercontinental system.

The Argentine Republic itself furnishes a clear example of the

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national development which comes from railroad lines. In 1880, that country had 1,562 miles of railway, and its total foreign commerce was a little more than $100,000,000. In 1905, it had about 12,000 miles in operation, and its foreign commerce exceeded $500,000,000. In the ten years from 1894 to 1904, the increase in its exports was 159 per cent., and in its imports 102 per cent.—a total of 261 per cent., and this was a period of active railway construction.

The increase in national prosperity which results from railway building may be shown in another manner. In 1895, the imports *per capita* were $23.80, and the exports $30.10; in 1905, they were $37.60 and $53.00, respectively. This is to say that the 12,000 miles of railways in 1905 meant a foreign commerce of $90.60 to every one of the 5,000,000 inhabitants of Argentina.

Mexico is at our doors. We have watched the growth of this sister republic and helped it by the investment of large amounts of our capital in railway enterprises. In 1875, Mexico had 360 miles of rails, and her total imports and exports amounted to $46,319,000 in Mexican currency. During the year 1905, there were 10,300 miles of railway in operation, and the total foreign commerce, in the terms of Mexican currency, reached $387,000,000,—an increase of approximately 700 per cent. in the thirty years since the work of creating a complete system of railroads began.

Mexico is also an illustration of the widening of freight zones beyond the circle of local traffic. The railroad line is the radius of the circle. As it is lengthened, the circumference grows in proportion and the circle of intercontinental and international trade is extended. In 1881, the year in which a through line from the southern border of the United States reached Mexico City, the total of the trade with the United States, both exports and imports, was $19,500,000, largely through the Gulf ports. In 1893, the commerce through the border custom-houses alone amounted to $22,000,000, gold, and this, of course, was railway traffic. In 1905, the railroads to and from Mexico carried freight which, as shown by the import and export figures, exceeded $45,000,000. According to the report of Mr. Limantour, the able Secretary of the Treasury, Mexican railways remit annually to Europe and the United States, for their stockholders and bondholders, $10,000,000. Since the bulk of the capital is from the

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United States, most of these remittances come here. They are in addition to the payment for material and to the returns from the freight which the southwestern lines turn over to their Mexican connections.

These examples of the commerce that comes from the traffic of the railways leads to a consideration of the present status of the Pan-American project. Given sufficient tonnage to be created, there is justification and encouragement for railway building. Where this traffic, or a reasonable proportion of it, may be international there is ground for an intercontinental railway.

The Pan-American routes, as surveyed, parallel the Pacific coast along the trend of the Andes, but they provide for branches or feeders which will shoot out toward the Atlantic as well as toward the Pacific. If their construction is much more difficult and costly than when the water-line can be followed, there is in its business aspect the value of the traffic that comes from the tonnage of mineral regions. This tonnage is of the kind that quickly pays for itself.

It is likely that the intercontinental line, in its engineering features, has to overcome more difficult conditions in the way of grades, curves, tunnels, bridges, cuts, and embankments, than any similar line of the same length; but it is also true that nowhere is so vast an area of mineral resources, silver, copper, coal, tin, still to be opened up to traffic as along the Andes Mountains. It must also be kept in mind that there are enormous timber areas and agricultural regions which are likewise to be developed and which will create tonnage.

The Pan-American plan provides for ultimate through rail connection between New York and Buenos Ayres, a distance of 10,400 miles, by existing lines and routes as heretofore surveyed. It is a fair statement that, with more thorough surveys and the shortening of some of the lines now in operation, this distance will be reduced to 10,000 miles. If all the lines on the Pan-American location already in operation and yet to be built were combined in a single trunk line, the total mileage between New York and Buenos Ayres would not be greater than the Atchison, the Burlington, the Pennsylvania, the Northwestern, or several other systems. The responsibility of control by one head would not be greater than that which to-day rests with A. J. Cassatt, James J. Hill or E. H. Harriman.

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At this time only 3,700 miles of these intercontinental railway sections or gaps are not specifically provided for. The Bolivian Government has just entered into arrangements for the building of railroads from the Desaguadero River, on its northern limits, to within 50 miles of its southern border. It has $12,000,000 cash capital for this purpose, and the favorable condition of the negotiations for further capital assure that these lines will be built. Several years ago, the Argentine Government arranged to prolong its lines into Bolivia under a treaty. This work has been proceeding slowly, but it has been given a fresh start, because the action of the Bolivian Government makes it necessary for Argentina to secure connection with the new system in order to prevent traffic which properly belongs to it from being diverted. We may therefore take the railway connection from Buenos Ayres to Lake Titicaca as assured and consider the lines northward.

The Peruvian Government, partly under the stimulus of Pan-American publicity, has secured a loan in Germany which gives it the means of filling in the sections between Lake Titicaca and Cuzco. This is being done. There are already some disconnected rail lines on the intercontinental location from Cuzco to the north. I do not undertake to say how soon they will be joined together, but the following statement gives all the sections in the Pan-American trunk route for which provision has not yet been made: Peru, 1,200 miles; Ecuador, 450 miles; Colombia, 845 miles; Panama and Central America, 1,200 miles; total, 3,695 miles. In this statement, I assume as a fact the prolongation of the line which is now going on from Mexico to the boundary of Guatemala and the closing of the short section in the latter country which will place Guatemala City in direct rail connection with the City of Mexico and therefore with the cities of the United States. The total of railway lines unprovided for at this time is less, therefore, by 100 miles than the Pennsylvania lines east of Pittsburg. It is only 200 miles more than the Mexican Central system.

With regard to the cost, the engineers who made the intercontinental survey estimated $32,000 per mile for grading, masonry and bridges of a standard-gauge railway. On the plains and in the river valleys, the cost of construction, as they estimated it, was probably correct; but for the mountain engineering a

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liberal additional allowance for contingencies would probably be made by practical railway builders. So the engineers in charge of the intercontinental survey added $8,000 per mile and assumed that the Pan-American line could be built at an average cost of $40,000 per mile.

But let it be assumed that the final cost of these links yet unprovided for, 3,700 miles in all, will average as much as $50,000 per mile. That would mean $185,000,000 yet to be spent on construction. This just about equals the outstanding capital stock of the 4,000 miles of the Baltimore and Ohio System, on which 8 per cent. to 9 per cent. is earned. Probably if $5,000,000 were expended in very thorough surveys and locations of the whole route, the construction expenses would be decreased very largely, for, in building railroads, there is no saving so great as that made by careful preliminary location. But, to be on the safe side, let it be assumed that $185,000,000 is still needed to build these Pan-American sections. Is it beyond the financial resources of the twelve or fifteen countries, including the United States, which are directly interested? The aggregate sum distributed among them is not large, because each section which is built not only develops the local traffic, but widens the freight zone and helps the creation of tonnage in adjoining districts. Who can estimate the trade returns when the railway systems of the United States and Mexico are connected with the network of railways in Argentina and the other republics of America? Our experience with American transcontinental lines may be duplicated.

The Dominion of Canada, after seeing the wonderful wealth which has grown out of the building of the Canadian Pacific, two years ago committed itself to another gigantic project, that known as the Grand Trunk Pacific, which proposes a transcontinental line far to the north, the main trunk from ocean to ocean covering between 3,500 and 3,600 miles. This line opens up great wheat areas which will furnish traffic, yet these wheat areas are a small section of the territory to be traversed. The Rocky Mountains are to be crossed to reach the Pacific, and an enormous stretch of barren country, the productiveness of which is very doubtful, has to be traversed in order to reach an Atlantic port. This project, it was estimated in the beginning, would cost somewhere in excess of $100,000,000. Now the estimates have

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risen to $175,000,000. A section from Winnipeg to Moncton, New Brunswick, 1,800 miles, is so uncertain as to its resources that the government itself has had to undertake its construction. No section on the Pan-American location of similar length is so unpromising. Instead of barrenness, there are either mineral resources or very rich tropical countries. It is not too much to assume that these Latin-American countries, by cooperation and by the help of the United States, can do as much as the Dominion of Canada is doing for itself. Much aid could be rendered the enterprise by large land grants, the admission free of duty of material used, etc.

So little is known in the United States about South-American railways that, when one states they are profitable, his statement is questioned. Yet the London quotations every day give evidence of their dividend-paying qualities. It is a somewhat curious fact that, in an estimate of the total cost of construction or capital per mile,* there is not much variation between the South-American countries and the United States. This is the estimate:

United States	$55,261
Argentina	49,895
Chile	54,697
Uruguay	52,756

How do the dividends compare? In the Argentine Republic, in a recent year, the 12,000 miles of railway had gross earnings of $61,676,000, gold; working expenses, $32,350,000; and net receipts, $29,326,000. The interest on the capital, which amounted to $573,000,000, was therefore a fraction over 5 per cent. That compares very well with the United States.

But it may be said that Argentina is chiefly a level country, producing wheat and raising cattle, and that the cost of building and maintaining railway lines is relatively cheap. This may be taken for granted, and it may be admitted that Argentina presents the best conditions for highest earning capacity, together with lowest operating expenses, though the bulk of its fuel has to be imported; yet here is an example from a railroad which climbs from the coast to heights of 13,000 feet, crossing a great volcanic mountain range. It was built to develop silver and other mines and provide an outlet for their products. This road is

* Transportation Routes and Systems of the World, Bureau of Statistics, Washington.

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narrow gauge, known as the Antofagasta and Oruro Railway. It begins at Antofagasta, Chile, on the Pacific coast, and extends for 575 miles into the interior of Bolivia. The Bolivian Government guaranteed 6 per cent. on the sections which were built within Bolivia. It never has been called upon to pay a dollar of the guaranty. The net earnings of the road have been 9 per cent. and upwards. This is one of many cases of railway construction in South America where dividends have been paid from the beginning.

Everything relating to railway extension, both the Pan-American line and its branches, should interest the American people. It was William Wheelwright, the American, who first sought to force the rails through the Andes of Chile to the pampas of Argentina, sixty years ago, and within two years that plan will be consummated. It was Wheelwright also who built the Argentine railways extending to the north, extensions of which into Bolivia now form sections of the intercontinental trunk line. It was Meiggs, another American, who overcame every engineering difficulty which the Andes Mountains present, and built the lines in Peru that are the wonder of the world. It was C. P. Huntington, also an American, who went into Mexico and Central America as a pioneer and enlisted capital in those systems. It is Andrew Carnegie, who, from the time of the First International Conference, has steadily supported the intercontinental project. Because it is an all-American enterprise, the American people will be sure to endorse whatever steps the Third International American Conference takes for carrying it forward.

H. G. DAVIS.

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"FORTY ACRES AND A MULE."

BY WALTER L. FLEMING, PROFESSOR OF HISTORY IN WEST VIRGINIA UNIVERSITY.

FOR several years after the close of the Civil War, the negroes of the South believed that the estates of the whites were to be confiscated by the Washington Government, and that each negro head of a family would obtain from the property thus confiscated "forty acres and a mule." Some old negroes still believe that the homestead and the mule will be given to them. This belief has often, especially in late years, been ridiculed as the childish dream of an ignorant people; for it is assumed that the negro had no reason for expecting land and stock from the Government. The purpose of this paper is to show that the expectations of the blacks were justified by the policies of the Government and the actions of its agents, and also to show that rascals took advantage of these expectations to swindle the ignorant freedmen.

The first step in the policy of confiscation was taken by Congress on August 6th, 1861, when the first Confiscation Act was passed. This law provided that property used in aid of the Confederacy should be liable to confiscation. Under this act, many slaves were captured and declared free. The Confiscation Act of July 17th, 1862, declared that all property of Confederates was liable to confiscation. Property not subject to confiscation under the law might be seized as "abandoned" or as "captured." The Treasury Department ruled that property was "abandoned" when the owner was away in the Confederate service. Any property seized by the army was classed as "captured," and was sold at once without the formality of legal proceedings. If the owner was unknown, the property was ordered to be sold for taxes, which were made a lien upon the land. In order to dispose of confiscated property, the South was divided into nine "Agencies,"

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each under a Treasury agent, whose duty it was to collect and dispose of confiscated property. In this work they were aided by the negroes, who acted as guides and informers. The latter, both from hearing their masters talk about the policy of the Federals and from observation after invasion, were easily convinced that, if the struggle went against the South, the property of their masters would be seized, and many whites, North and South, believed the same. The Northern armies seized everything —even church property was generally taken, and the property of well-known "Unionists." The church property was usually turned over to some Northern denomination or given to the negroes. The Southern Methodist Publishing House at Nashville was seized and operated by the Federal army, and finally given to the Freedmen's Bureau. George S. Houston, a "Unionist," later Governor of Alabama, lost his property by confiscation. Since the war, about $30,000,000 has been paid by the Government to "Unionists" who had property confiscated; Confederate sympathizers recovered nothing. The greater part of the property taken before the end of the war consisted of movable goods, especially cotton, which was seized wherever found. The negroes gave valuable information to the Federals in the search for cotton.

The debates in Congress and the speeches made in political campaigns, show that many Northern people believed that wholesale confiscation and division of property ought to follow the close of the war. Thaddeus Stevens of Pennsylvania began early to agitate the question, advocating that the land be seized to pay the expenses of the war, to punish the Confederates, and to provide for "loyalists" and for the blacks. The white people of the South, Stevens said in 1863, were entitled to no rights of person or property; the United States should treat the former Southern States as "conquered provinces, settle them with new men, and exterminate or drive out the present rebels from the country." In 1864, Stevens declared that "every inch of the guilty portion of the usurping power should be held responsible to reimburse all the cost of the war; to pay all the damage to private property of loyal men; and to create an ample fund to pay pensions to wounded soldiers and to the bereaved friends of the slain." During the same year, Andrew Johnson, then Military Governor of Tennessee, in a public speech said that "treason must be made odious, and traitors must be punished and impov-

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erished; their great plantations must be seized and divided into small portions and sold to honest, industrious men." These declarations soon became known to the blacks, the more intelligent of whom were always well informed on the important issues, either through their masters or by "grape-vine telegraph." Often such matters were known to the negroes before the Southern whites knew them. I have been assured by old negroes that a general topic of conversation in some negro "quarters" was the intention of the Federals to confiscate the lands and divide them among the blacks. They heard about this from the "big house" and from "word that was saunt in."

The Confiscation Acts of the Federal Congress were constantly referred to by the Confederates as showing what the policy of the North would be in case the South were conquered. Through fear of confiscation and division of lands, the Southerners were rallied to fresh exertion. The several Southern Legislatures and the Confederate Congress repeatedly mentioned this matter in addresses to the people. The last address of the Confederate Congress, in March, 1865, reminded the people that the penalty for failure would probably be confiscation of estates, which would be given to their former bondsmen.

Meanwhile, what was actually being done to convince the blacks that they were to be cared for at the expense of the Southern whites? As the Northern armies invaded the South, many negroes went within the Federal lines; and, after 1861, thousands of them had to be cared for. In every Southern State where the Federals had military posts, great camps of freedmen were formed, rations were issued, and supplies taken from the captured property were given to them. As far as possible, the refugee blacks were subsisted upon the substance of their former owners. The care of these helpless persons devolved first upon the army, later upon Treasury agents, then again upon the army, and again upon the Treasury agents. Neither the War Department nor the Treasury desired the responsibility. The agents of the Treasury and the officers detailed from the army, assisted by benevolent associations in the North, endeavored to organize the negro colonies and camps so as to make them somewhat self-supporting. Little was done before 1863 except to seize plantations and houses, in territory held by the Federal army, and turn them over along with much movable property to the use of the negroes.

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After the Emancipation Proclamation was issued, a more determined effort was made to settle the negroes upon their masters' lands. In March, 1863, thousands of acres of cotton-lands along the coasts, and in the sea islands of South Carolina, Georgia and Florida, were confiscated and sold at auction. The land was divided into small plots of twenty to forty acres. Many negroes were purchasers, as long credit was given, and land worth forty to sixty dollars in 1860 was sold for a dollar and a quarter per acre. The white owners had all been driven away by the negroes and the Federals. In Louisiana, General Banks organized a little commonwealth of blacks on the community-plantation system. On the borders of Virginia and in Tennessee were similar bodies. In April, 1863, Adjutant-General Lorenzo Thomas, after consultation with Grant and Lincoln, announced that the Government had determined to locate a "loyal" population on the banks of the Mississippi from Kentucky to Grand Gulf, Mississippi, in order to protect commerce and navigation. Commissioners were appointed to seize the estates of Confederates and lease them for moderate rents to negroes, or to persons who would employ and care for negroes. The Government sold, rented, or gave to the lessees the stock, implements and supplies found on the plantations. This system worked badly; the white lessees were of bad character and swindled the negroes, while making fortunes for themselves; the mortality in the plantation camps was fearful; the few negro lessees failed because of ignorance.

During the next year, "Superintendents of Freedmen" were employed by the Treasury Department. It was their duty to locate negro colonies called "Freedmen's Home Colonies" on the confiscated estates of prominent Confederates, to issue supplies to them and to induce them to work a little to support themselves. "Home Colonies" were established in every Southern State, the largest ones being in Tennessee, South Carolina, Alabama, Mississippi and Florida. One colony was located on Jefferson Davis's plantation,* another on the estate of ex-Governor Chapman of

* The Davis plantation contained about 10,000 acres of fertile land; General Dana "consecrated it as a home for the emancipated," declaring in the order setting it apart for the blacks that it was "a suitable place to furnish means and security for the unfortunate race which he [Davis] was so instrumental in oppressing." It was now said that "the nest in which the rebellion was hatched has become the Mecca of freedom." Here, as elsewhere, where negroes were colonized, no whites were permitted to live. The colony was guarded by a regiment of negro troops.—See Garner, "Reconstruction in Mississippi," pp. 252, 253.

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Alabama, and another on the Destrehan plantation of Judge Rost in Louisiana. The superintendents committed much fraud in their supervision of the blacks, and their régime was not successful; but, before the war closed, all negroes who had come into contact with the Federals were convinced that the Government meant to care for the blacks at the expense of the whites.

The most sweeping confiscations took place and the most important colonies were located along the coast and on the sea islands of South Carolina, Georgia and Florida. In 1863, in addition to about 15,000 acres which were sold to negroes, other large tracts were confiscated in the parishes of St. Helena and St. Luke in South Carolina, and in Georgia and Florida. When Sherman reached Savannah, in December, 1864, his army was encumbered by a multitude of negroes who had followed him in his march across Georgia. After State agents from the North had enlisted many of them to fill up the quotas of their States, there were still thousands who had to be provided for. Secretary Stanton and Adjutant-General Townsend came to Savannah; and, in consultation with General Sherman and a score of negro preachers, it was decided to form negro colonies on the coasts, where they could be protected by the United States forces. The negroes were unanimous in asking to be colonized away from the whites. So Sherman, with the knowledge and advice of Stanton, issued on January 16th, 1865, his famous "Special Field Order No. 15," which set aside for the settlements of negroes all the sea islands south of Charleston, the rice-fields along the rivers for thirty miles inland from the sea, and the country along the St. John River in Florida. In the territory thus set apart for negro settlements, no white persons were allowed to live; the management of affairs was to be left to the blacks. General Rufus Saxton was appointed inspector of negro settlements, and was authorized to grant, with a possessory title, forty acres of land to each family, in the possession of which the military authorities would protect them until Congress should regulate their titles.

Before the end of 1865, more than 40,000 freedmen were located on the sea islands by General Saxton, who called them together in public meetings, and encouraged emigration to the lands set apart for them. He reported that the movement was a great success. Thousands of acres were allotted to blacks; negro communities grew up; the government was carried on, churches and

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schools were established and roads made, by the negroes under the supervision of army officials. A Government steamer carried supplies to them regularly. The white owners were not allowed to set foot on the islands, and one solitary white "Unionist" who had remained on his plantation during the war was now forced to leave under the terms of Sherman's order.

During the summer and fall of 1865, numbers of the owners of the coast and island plantations were pardoned by President Johnson. One effect of the pardon was to restore property rights, and consequently the land confiscated for the blacks by General Sherman and others was now to be returned to the owners, unless Congress should intervene. The owners at once demanded possession. The Freedmen's Bureau, now in charge of matters relating to negroes, refused to release the land, and asked Congress to confirm the titles of the blacks, who, encouraged by the Bureau agents, armed themselves and refused to allow any owner to return to his plantation. Meanwhile improvements were going to ruin, and the owners had no other homes. Repeated applications were made to Washington demanding restoration; Secretary Stanton and General Howard of the Freedmen's Bureau opposed it, asserting that the negroes had been led to expect permanent possession of the lands, and that to dispossess them would be an act of bad faith and would cause bitter disappointment. President Johnson, however, with more regard for legalities and less vindictive than in 1864, asserted that the effect of pardon was to restore all rights of property, and ordered restoration to those whom he had pardoned. But all recognized that the blacks were entitled to some consideration. So General Howard, Commissioner of the Bureau, went south to make a settlement.

Howard reached Charleston on October 19th, 1865, and two days later, accompanied by William Whaley, a representative of the planters, went to Edisto Island to explain matters to the freedmen. The latter, as well as the majority of the white people, North and South, believed that the intention of General Sherman and the Government had been to give them the land; and now they were confident that the Government would stand by them, and that a general confiscation would soon take place. The Freedmen's Bureau Act of March 3rd, 1865, had provided for the division of confiscated and "abandoned" lands among the blacks in forty-acre lots, and there were millions of acres classed as

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"abandoned." Consequently, when Howard came, the blacks were confident that he would sustain them. More than two thousand met him at a church on the island, and were angry and overwhelmed at the news he brought. While their leaders were conferring with Howard and the representative of the planters, the rest of the blacks held a meeting in the church. Mournful songs were sung, prayers were offered and the preachers made touching addresses. They felt that the Government had deceived them, and a stormy outbreak was with difficulty averted. But the planters were reasonable, and Howard finally succeeded in making the negro leaders understand the situation. A compromise was patched up, and Howard decreed that no lands should be restored until the crops were gathered; no rents or damages were to be paid to the owners; "loyal" men or those who had been pardoned might then receive their lands, provided they gave homes and employment for the following year, at good wages, to all the negroes settled on their plantations, and did not oppose the establishment of schools for them; no unpardoned owners could have his land restored; and no negroes who had paid the Government for their land in 1863-1865 were to be dispossessed. Howard then went to Savannah and to Fernandina, where similar settlements were made. He then urged that Congress purchase these coast lands and give them to the freedmen.

It was not possible to carry the agreement fully into effect. The freedmen were in possession and in many localities refused to abide by the compromise and allow the whites to return. It was found that Bureau agents encouraged them in this attitude. The Act of March 3rd, 1865, had provided that the blacks should be protected in the use of their allotted lands for three years, and that meanwhile they might purchase the land at merely nominal prices. Under this law, the Bureau refused to allow the lands to be released to the owners. In the spring of 1866, efforts were made by General Tillson, of the Freedmen's Bureau in Georgia, to consolidate the grants made to the negroes and gather them together on a portion of each estate, restoring the remainder to the owner. The Freedmen's Bureau Act of July 16th, 1866, secured the negroes in the possession of lands actually purchased at the nominal rate of a dollar and a half per acre, and provided that no land settled upon by blacks under Sherman's order should be restored until the crops of 1866 were gathered.

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The Bureau now declared the grants on the coasts and sea islands to be valid, and confirmed the blacks in the possession of all lands held by them in 1865. Later, when it was seen that the courts would probably restore the lands to the owners, the Bureau made it known that only those negroes who had possessory titles from the Government would be protected in possession of their twenty and forty-acre plots. It was found that very few negroes were settled on the land that their grants called for; many had no titles whatever or had lost them. Evictions then began; the Federal soldiers, late in 1866, were sent into some localities, and, having no great liking for the Bureau or for its wards, removed many of the latter in a summary fashion, causing much hardship. This was a grievous disappointment to the blacks.

In spite of the longing of the negroes to possess lands, those who retained their grants on the South Atlantic coast profited little by them. Deprived of the supervision of the whites, the negroes neglected their little crops and allowed their homes and industries to go to ruin, while they eked out a leisurely living by hunting, fishing and by killing the cattle that grazed on the salt marshes. The land has never again reached the production of 1860. The whole affair served mainly to irritate the whites and to disappoint the blacks.

So much for the plan of Sherman and its results. On a smaller scale, something similar had been done in the other Southern States. In the first flush of freedom at the close of the war, the negroes in the interior of the country, encouraged by the workings of the Freedmen's Bureau, believed that henceforth they were to be supported by the Government; that they would never be cold, or hungry or tired any more. In Alabama, General Swayne reported in 1866 that "freedmen were not uncommon who believed that work was no part of freedom." This belief lasted for months with those who lived in the vicinity of the Bureau "offices" and received the regular issues of rations and other supplies. Later, many of them were convinced that the Government would not support them, but that it contemplated a division of property among them. Most of them expected only the lands, houses and stock; and now arose in the interior country the definite expectation of "forty acres of land and a mule," or the equivalent in other property. Some few believed that, in addition, the white owner would be given as a slave.

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In 1865, there was much foundation for the hopes of the negroes. The Confiscation Acts were still in force, and nearly all Southern property was by law liable to seizure. The Constitution provided that forfeiture could be made only after conviction and for the lifetime of the owner, but the negro and his friends knew or cared little about this restriction. The Bureau Act of 1865 legalized Sherman's Special Order, by providing that each negro might have forty acres at a low price on long credit; the Bureau Act of 1866 confirmed the sale of lands to negroes; General Howard, in May, 1865, ordered that no lands be restored to "disloyal" owners, and the military authorities were directed to receive no applications for restoration. In Virginia, a large amount of land was ready for sale under the Confiscation Acts; but, when the Bureau was established, in March, 1865, this land was turned over to that institution, and in June, the President directed that all Confederate property in possession of the military authorities be turned over to the Bureau. During the year 1865, the Bureau held 768,590 acres of land and 1,596 pieces of town property confiscated from individuals, besides an immense amount of property formerly belonging to the Confederacy. General Howard instructed his subordinate officials to scatter abroad among the negroes copies of the "homestead" law with its promise of free land, and this also aroused false hopes. The negro colonies were still held together and supported by the Government; and the Treasury agents, guided by negroes, were searching out and seizing cotton, tobacco and other produce, under the pretence that it had been subscribed to the Confederate Produce Loan. Even those who had failed to pay the tax-in-kind to the Confederacy now had to pay it to the rapacious Treasury agent, who turned over to his Government only a small part of his confiscations. The barns, storehouses, offices, dwellings, public buildings, court-houses, hospitals, prisons, armories, arsenals, ironworks, boats, mills, factories, and all kinds of supplies used by or intended for the use of the Confederacy were seized and, for the most part, after June 2d, 1865, were given for the use of the blacks. Church and school buildings belonging to the whites were given to the missionaries for the negroes. Property in the hands of the Bureau was sold or rented, and the proceeds applied to the support of the blacks or given directly to them. Naturally, the negroes thought that they were in permanent possession, and

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the policy of the Bureau encouraged them in this belief. General Howard endeavored to nullify the effect of the President's pardon, by refusing to restore to the owners any land occupied by negroes; he directed that no eviction of negroes be allowed, and generally obstructed the restoration of land. The President ordered positively that property be restored to pardoned men, whereupon Howard asked Johnson to grant pardon only on condition that the pardoned party give to each slave family formerly belonging to him five to ten acres of land, or the equivalent in cash. Though property was gradually restored, the Bureau held quantities of it for several years: 768,590 acres in 1865; 272,231 acres in 1866; 215,024 acres in 1867; and 139,634 acres in 1868, besides many pieces of town property. Restoration was grudgingly performed; General Saxton, for instance, declared (for South Carolina, Georgia and Florida) that those who did not "announce" to the freedmen the fact of their freedom and "admit" it publicly to them would have their property seized and divided.

The speeches of Stevens and other radical leaders, in pamphlet form, along with the Bureau laws and regulations, the homestead laws and the Confiscation Acts, were sown thickly over the South; and the Bureau agents, the missionaries and the teachers, taking the cue from these, encouraged the belief in the "forty acres and a mule." The negroes were told that, since their labor had produced the property of the South, they ought at least to share it. Lincoln's second inaugural message suggests the same thought in regard to the origin of Southern property. Probably this belief that the property of the South was due to uncompensated negro labor was held by many Northerners and inclined them to favor a proposition to confiscate the land.*

Stevens, in a speech to his constituents at Lancaster, Pennsylvania, in the summer of 1865, declared that each negro family ought to receive forty acres of land, and that sufficient land should be secured by confiscating the estates of those Confederates who had owned over two hundred acres, and by seizing the lands belonging to the Southern States. Of State lands, Texas possessed about 110,000,000 acres, and the other Southern States

* In 1871 the Republican majority of the Ku-Klux committee stated that "the negroes heard and were inclined to believe [those reports] by their sense of justice which suggested that as their labor had produced the greater part of the property, they should have a portion. Hence the idea was widespread and common among them that each head of a family would have 'forty acres and a mule.'"—Ku-Klux Report, p. 217.

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about 50,000,000 acres. In December, 1865, in Congress, Stevens again expressed himself in favor of giving homes to the negroes, and as time went on he was more and more strongly in favor of it. Wendell Phillips, in the "Anti-Slavery Standard," advocated the gift to each negro family of eighty acres of land or "forty acres and a furnished cottage." Other leaders favored confiscation from the whites and provision for the blacks; but, Stevens being the foremost advocate of the policy, his part is emphasized.

At first, the blacks expected an immediate distribution of property, but, when that did not take place, they unanimously decided that the division would take place at the end of the year 1865, either at Christmas or at New-Year's. In the mean time, while awaiting the allotment, thousands crowded into the towns near the army posts and Bureau stations, where congested conditions gave rise to vice and disease. All over the South, the assistant commissioners of the Bureau reported that, in expectation of support by the Government or of distribution of land and stock, the negroes were refusing to make contracts; none would contract beyond the end of the year; few worked steadily at day work in the mean time. This belief grew stronger in the fall and early winter, and the assistant commissioners and higher officials of the Bureau and the army made earnest efforts to disabuse the minds of the freedmen of this impression, but there is no evidence that the inferior officials pursued a like policy.

Andrews, a Northern traveller in the South, stated in the fall of 1865 that the negroes believed firmly in the division of property, and that this belief was causing idleness and discontent. Northern men were besieged by the negroes who wanted information. Andrews was asked: "When is de land goin' fur to be dewided?" Some negroes in South Carolina believed that they would be colonized on the coast, thus showing the influence of Sherman's plan, and in this belief large numbers set out to go to Charleston, Savannah, and other places near the "promised land." They believed that the whites were to be driven out of the low country, which was to be given up to the negroes. In the interior, as a rule, the freedmen believed that they were to be located on the home plantations. Andrews told of one old man who refused to leave home and celebrate freedom, as others were doing, because he feared that the division might take place

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in his absence and "de home house might come to me, sah, in de dewision." While waiting for the distribution, the blacks who would not work, and who were not within reach of Bureau supplies, were forced to live by foraging. In the black districts, the corn, fruit, pigs, cows and poultry suffered from the "taking" propensities of the African who believed that he was using what would soon be his own anyway.

The policy of Johnson and the statements of the higher Bureau and army officers reassured most of the whites who had feared confiscation. Estates were gradually restored to the owners. The negroes clung to their old hope, but began to fear that they were being tricked. They had secured arms, and now some of the leaders threatened that, if the division did not occur, they would forcibly seize the land. Among the whites there was a widespread fear of insurrection when the black should be disappointed at New-Year's. Some of the Bureau officials also feared trouble. For defence, the whites organized patrols in each community, and the organizations that preceded the Ku-Klux movement were now formed—notably the "Black Cavalry." The Federal military authorities overlooked this reorganization of the white militia. In Virginia, when the blacks learned that their hopes were vain, they destroyed the fencing and other improvements. But in general they were not inclined to violence, and Christmas and New-Year's passed without the anticipated outbreak. The negroes then settled down somewhat, still hoping, however, for the "forty acres and the mule," now in the far future; ceasing to hope for immediate confiscation, they rather expected the Government to do something for them, to send them to homes in the West or to take them North, but there was now probably little thought that their masters' property would be divided among them.

But in the latter part of 1866 and early in 1867, when it was seen that Congress would probably be victorious over the President and that some form of negro suffrage would be imposed, hopes were again aroused by the activities of those who expected to use the negroes to get into office. The speeches of Stevens in regard to banishment of Confederates and confiscation for the benefit of the "loyal" and black men, and about negro suffrage for the purpose of securing perpetual ascendancy to the "party of the Union," were widely circulated. The tales of "Southern outrages" and the reported rebellious spirit of the ex-Confeder-

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ates caused many Northern people to believe that some punishment ought to be inflicted. The negroes were led to believe that their friends in Congress were fighting for their rights, that is, for property and supplies for them. The Reconstruction Acts of March, 1867, which overthrew the "Johnson" State Governments, and provided for negro suffrage to be inaugurated under the superintendence of the army, was to the blacks a sign that they were coming to the long-expected confiscation. To thousands of them, the issue in the elections of 1867 and 1868 was freedom with land on one side, slavery and no property on the other. This feeling in an ignorant and helpless people was strengthened by the circulation in the South of a bill introduced in Congress by Stevens on March 19, 1867, providing for wholesale confiscation and division of lands. By the blacks this measure was considered a part of the Reconstruction, and from their leaders they had learned that Reconstruction was for their good alone. The bill provided for the confiscation of land owned by the Southern States—about 150,000,000 acres—and for the seizure of private property liable under the Confiscation Act of 1862. A commissioner was to be appointed in each Southern State to condemn property for sale or division, and from the land thus obtained each head of a negro family, male or female, and each adult male, was to get a homestead of forty acres. For ten years, this land was to be inalienable, and then an absolute title was to be granted. From the proceeds of the sales of confiscated property, each person who received a homestead was also to get fifty dollars for a building; and $500,000,000 was to be set aside to pay pensions and to pay for the losses of "loyal" persons during the war. The bill further provided that no estate worth less than $5,000 should be confiscated, unless the owner had been an "officer or employee" in the Confederate or State service during the war.

In support of this bill, Stevens said: "We have liberated the slaves. It is our duty to provide for them, and we have the right to take land for homes in order to do it." On the success of the measure depended, he declared, the happiness, respectability, and continued existence of the blacks. They were not capable of caring for themselves, he stated; the Freedmen's Bureau could not much longer protect them; the former slaveholders were hostile, and, if they were not protected, they would become extinct or there would be a civil war. Already, he said, they were

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murdered with impunity, and "I doubt not that hundreds of thousands would annually be deposited in secret unknown graves." But if they were rendered independent by the gift of homesteads, the danger would be removed. "They have earned for their masters this very land and more," he said, "and divisions of the plantations into small farms would be good for the South anyway." Stevens was in earnest about the distribution of property, and announced that "to this issue [to punish the Southern whites by confiscation and to provide for the negroes] I desire to devote the small remnant of my life."

As a result of the agitation of the matter of homesteads for the negroes, the latter became a prey to swindlers who traded upon their hopes. They had much faith in Northern men, and sharpers came down and made collections, representing to the negroes that they would secure that land for them. A common method of swindling the negroes was to sell them little striped pegs about the size of the stakes used in the game of croquet. The negro was told that, if he would take four of those stakes and mark off forty acres on his former owner's plantation, the part inclosed by the stakes would then belong to him. An eye-witness has described the sale of stakes that took place in Sumter County, Alabama. The negroes had a political barbecue at Gainesville, and a man appeared with a bundle of red and blue stakes. He declared that he had been to Washington to get them from the Government, which had made them for the express purpose of marking off the "forty acres of land." The instructions given by the seller were to stick a peg at one corner of the desired lot, and then walk a certain distance and stick down another peg, then turn and at a certain distance place another, and so on. The seller advised the buyers not to encroach upon one another's lots in staking out the claim, and not to take a whole lot in wood land or in cleared land, but to select about half in each. The man with the stakes explained that the nominal charge he made—about a dollar a peg—was only for his expenses. The pegs were sold for less if the negro had not a dollar. This peg-selling swindle lasted intermittently for about ten years. The same community was rarely swindled twice, but, sooner or later, every negro settlement suffered. In Georgia especially, the pegs could be seen set up all over the country. Each of Grant's elections served to stimulate the swindlers and to encourage again the blacks who believed

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that Grant sent the pegs out for distribution. General Howard was also credited with similar benevolent actions. The pegs were sometimes called "pre-emption rights." A pretended deed for land, given with one set of stakes, was in part as follows:

"Know all men by these presents, that a nought is a nought and a figure is a figure; all for the white man and none for the nigure. And whereas Moses lifted up the serpent in the wilderness, so also have I lifted this d——d old nigger out of four dollars and six bits. Amen! Selah!"

Politicians informed their black constituents who complained of delay that the intention of the Government was good, but that the trouble lay in the fact that they had no one at Washington to look after their interests. One man who hailed from Skowhegan, Maine, went to Congress from Alabama in 1868, because the negroes favored him above other carpetbaggers for his promises in regard to the "forty acres." In the campaigns of 1870, in Alabama, the "forty acres" was an issue with the negroes. The speakers told the blacks: "All this property you see here, these lands were cleared by you; you made all these fences; you dug all these ditches; you are the men they belong to." When the Coburn committee was investigating the reason for Alabama's going Democratic in 1874, they were confronted at Opelika by a negro who demanded that something be done for him. In the recent campaign (1874) he had been promised an old mule, forty acres of land and some bacon, in return for voting the Republican ticket. All negroes, he said, had been promised the same. Another negro said that he had been promised "forty acres and an old gray horse." As much as possible, the Republican majorities of the committees of investigation sent South during the later years of Reconstruction endeavored to avoid this particular aspect of the negro problem.

In South Carolina, where Sherman's plan had so much influence and where the negroes were so numerous, the carpetbag State Government undertook to strengthen itself by promising lands to the homeless blacks. More than $700,000 was appropriated for the purchase of lands and homes, but as usual it profited only the rascals. The officials who purchased the land pocketed most of the money. Some tracts of swampy and worn-out lands were purchased—in all worth about $90,000 or $100,000—on which about 100 persons, it is said, found homes. The rest of the money

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—more than $600,000—was distributed among the land commissioners and their friends.*

In the later years of Reconstruction, there was a variation in the tale told by the office-seeker in the black counties. The programme now announced was to place heavy taxes on property, especially in the Black Belt, so that the whites would have to leave; and then the land would fall into the hands of the negroes and the Northerners. When the taxpayers in South Carolina in 1870 were complaining about heavy taxation, Senator Beverly Nash, a noted negro politician, said in Columbia to a crowd of several thousand blacks:

"The reformers complain of taxes being too high. I tell you that they are not high enough. I want them taxed until they put these lands back where they belong, into the hands of those who worked for them. You toiled for them, you labored for them, and were sold to pay for them, and you ought to have them."

Judge R. B. Carpenter, a Republican, testified that "that was the key-note of the whole stumping, from the seacoast to the mountains."

Such were the conditions during Reconstruction. After the carpetbag and negro rule was overthrown, the negroes were no longer led by low politicians with tales of "forty acres and a mule," but the credulous were preyed upon by a new species of sharper, one who travelled about the country with what he pretended were the claim papers of negroes entitled to land. From each negro on his list, he would collect a small "attorney's fee," sometimes for several years in succession, always pretending to be working for the negroes' rights. Since this was illegal, it was done in a very quiet way, and the blacks were warned it would be fatal to their prospects if the matter became public. Naturally, they would say little about such a matter to their white neighbors, who had told them that they were foolish to expect anything from the Government; and, after being convinced that they had been swindled, pride would prevent confession and exposure. Many thousands of hard-earned dollars were thus collected from the more ignorant blacks, under the pretence that it was for attorneys' fees. The collection is still to some extent being carried

* The land commissioner spent $802,137.44.—Pike, "Prostrate State," p. 152.

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on, principally in remote communities; the educated negro and the city-dweller would rarely be approached by an "agent."

Another and more recent method of swindling, based on negro credulity, is the "slave-pension" scheme. A respectable member of Congress is induced to introduce a measure providing for pensions to ex-slaves. This he does "by request," and then forgets about it. But the damage has been done. Sharpers procure numerous copies of such bills, together with commendatory comments from newspapers and prominent men, and then descend upon the blacks for "attorneys' fees." The matter is made worse for the negroes, and easier for the swindlers, by the fact that a certain sentiment among Southern whites is favorable to pensioning the old negroes. One of the latest manifestations of the working of the "pension scheme" occurred in 1903, after Senator Hanna had "by request" introduced a slave-pension measure. Of course, he believed that the object of those who wanted the measure was good; just as certainly did he know that such a measure would not be seriously considered; but he introduced it and thought that the matter was ended. A camp of Confederate Veterans in Fort Worth, Texas, taking the measure in good faith, passed resolutions asking their representatives in Congress to support the bill. Other camps did the same. Here was good material for the purpose of the swindlers, and within a few weeks they were operating in the South. Arrests were made by State officials in Alabama, Mississippi, Louisiana, and North Carolina. The inference is, then, that the swindling was general.

By the methods detailed above the ignorant and helpless blacks have for forty years been victimized. Perhaps some have been swindled who were not ignorant and helpless; for the blacks had reason to expect something from the Government, and it required no more credulity to believe in the "forty acres and a mule" than to believe in the claims to "Trinity Church property," or the "fortunes in England," so extensively advertised.

WALTER L. FLEMING

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THE SPANISH TREATY CLAIMS.

BY HANNIS TAYLOR, LL.D., SPECIAL COUNSEL FOR THE UNITED STATES GOVERNMENT BEFORE THE SPANISH TREATY CLAIMS COMMISSION.

In an article which appeared under the above title in this Review, in February, 1905, Mr. Crammond Kennedy, a distinguished jurist of wide experience, who represents large interests now pending before the Spanish Treaty Claims Commission, examined in a censorious rather than a critical spirit the larger aspects of the judicial work so far performed by it. The essence of his contention was that the Commission failed to do its duty, because it has not seen fit to base its judicial action entirely upon certain political declarations made by the Executive at the time the war for intervention was undertaken by the United States against Spain. To state his case in his own language:

> "Whether the war of intervention was justified or not is immaterial, so far as the duty of the United States to pay these claims of her citizens is concerned. It *did* intervene, and, in accordance with the avowed grounds and purposes of its intervention, and in the exercise of the conqueror's right, it exacted indemnity for all those individual claims 'of every kind,' and agreed in the treaty to adjudicate and settle them. Neither the fact of Spain's responsibility, nor the grounds on which the United States held her responsible and expelled her from Cuba, can be questioned by the Commission."

The writer was good enough, however, to concede that the Commission is not entirely an automaton, because, after stating that the claims which have been presented "amount in round figures to sixty million dollars," he frankly admitted that "it is safe to say that the actual and direct damage will not aggregate more than one-half of the amount claimed." His grievance is that, in adjudicating upon the amounts actually due, the Commission is proceeding "according to the merits of the several cases, the

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principles of equity and international law"—the rule of action prescribed by the organic act—and not according to certain political declarations made by the Executive just before the war of intervention began. So extreme is that position that it has startled even the Marquis de Olivat, an eminent Spanish publicist, who, in a very calm, critical and judicial spirit, has reviewed Mr. Kennedy's article in "The Review of International Law and Foreign Politics," Madrid, July, 1905. The Marquis says:

"While, as heretofore remarked, we will reserve a more careful opinion until we have studied in its entirety the work of those here accused of *lesa-patria*, in an article which savors strongly of an advocate's plea of consolation for a distressed client, we must admit that the decision and the doctrine which it upholds will receive different treatment, according as they are weighed on their intrinsic merits, or considered as the pronouncement of an American tribunal. It is obvious that, if our Government had been called upon to adjudicate upon these claims, its decisions would have been in accord with that of the Commission, that is, that our Government was not liable for injuries inflicted by those who were not vested with its authority, and were not *de facto* under its control; and that the result of the acts complained of were the unavoidable but not unlawful consequences of the war."

The Spanish jurist reached that obvious conclusion because the essence of the treaty agreement was that the United States should pay only such of the claims in question against Spain as Spain was liable for under the principles of international law. Therefore, the only real question at issue is this: Was that, in fact and in truth, the essence of the treaty agreement?

By Article VII of the Treaty of Peace with Spain, it was provided that:

"The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war. The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article."

Mr. Kennedy has labored hard to read into the treaty certain expressions made during the preliminary negotiations, in order that it may appear that the cession to the United States was made by

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Spain as compensation for the losses and expenses occasioned the United States by the war and for the claims of its citizens by reason of the injuries and damages they may have suffered in their persons and property during the last insurrection in Cuba. After reviewing Mr. Kennedy's attempt in that regard, his Spanish critic's conclusion is that he has entirely failed. The Marquis de Olivat says:

"Nor does he forget to record that in the session of the 30th of October, the President of the American Commission stated that he was not averse that it should appear in the treaty that the cessions of territory were made on account of and as indemnity for the losses and injuries suffered by American citizens. This promise was not carried out, and in its final form the treaty did not even preserve the vague allusion made to this feature of compensation in the form presented by the Secretaries at the meeting of the 30th of November, and which was in these words: 'Spain and the United States, in view of the agreement arrived at by the present Treaty, mutually relinquish all claims,' etc. [Red Book, p. 254.] All that remained was the attenuated phrase bracketed above, 'by the present Treaty,' which conveyed quite a different sense, and was moreover only preserved in the Spanish version."

Thus, even from the Spanish point of view, the treaty, when cast "in its final form," contained no such implied stipulation or understanding as Mr. Kennedy contends for. It follows, therefore, that the real meaning of the treaty must be drawn from its actual provisions, construed in the light of the terms of the organic act creating the Commission, whose duty it is to "adjudicate and settle the claims of its citizens against Spain relinquished in this article." And here should be emphasized the real attitude of the United States to the bulk of these claims at the time the treaty was made. Spain was never called upon to pay, or even to acknowledge obligation to pay, such claims. The American Minister at Madrid was specially instructed not to make demands, but simply to notify the Government of Spain that such claims had been filed in the Department of State at Washington by persons claiming to be American citizens and residing and owning property in the island of Cuba. When Spain's Minister of State, the Duke of Tetuan, made formal denial of liability for such claims under the law of nations, Mr. Olney promptly replied, in a despatch dated December 29th, 1896, as follows:

"As Spain has not been called upon to pay, or to acknowledge obligation to pay, these claims, the general denial of obligation to pay them,

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or to inquire into the facts upon which they are based, made by the Duke of Tetuan, is at this stage premature and inadmissible. At the proper time, all the Cuban claims of which Spain has been given notice, but which she has not been called upon to pay, will be examined, each upon its individual merits, and dealt with according to the law and the facts as they appear to this Government."

When the United States, in the treaty in question, released Spain from all liability on account of these claims, it assumed the obligation to pay to its own citizens only such claims as were lawfully and justly due to them from Spain under the law of nations.

In order to carry into effect the stipulations of Article VII of the treaty, Congress, by an act approved March 2nd, 1901, created the Spanish Treaty Claims Commission, composed of five well-known jurists. The functions and powers of the Commission were thus defined:

"Whose duty it shall be, and it shall have jurisdiction, to receive, examine, and adjudicate all claims of citizens of the United States against Spain, which the United States agreed to adjudicate and settle by the seventh article of the treaty concluded between the United States and Spain on the tenth of December, *anno domini* eighteen hundred and ninety-eight. *It shall adjudicate said claims according to the merits of the several cases, the principles of equity, and of international law.*"

That rule thus prescribed by Congress, for the direction of the Commission in its adjudications, is borrowed from a formula, more than a century old, which appears in numerous treaties between the United States and foreign countries creating mixed commissions for the settlement of claims. In the Treaty of 1794 between this country and Great Britain, it was provided that the Commissioners appointed for the adjudication of claims "shall decide the claims in question according to the merits of the several cases, and to justice, equity and the laws of nations." The substance of the rule is found in like treaties between the United States and the following countries: Spain (1795), Mexico (1839), Mexico (1868), France (1880). Under the treaties between the United States and Spain (1819), Spain (1834), Denmark (1830), France (1831), and the two Sicilies (1832), by which this Government relinquished the claims of American citizens against those countries and assumed the payment thereof, or accepted a lump sum therefor, the several domestic commissions were directed, either by an express requirement of the treaty or by subsequent act of Congress, to apply the above-estab-

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lished rule of adjudication in the settlement of such claims. In order to determine, upon the threshold of its labors, the precise scope and meaning of that rule, as embodied in the act creating it, the Commission called upon all the learned counsel interested in its proceedings to enlighten it by debate and interpretation. After weeks consumed in discussions of that character, participated in by some of the foremost publicists in this country, the almost unbroken consensus of opinion was that Spain is the real defendant, and that every claimant who calls upon the United States to pay must first establish the fact that Spain is primarily liable under the principles of international law. As Mr. John Bassett Moore well expressed it in his printed argument:

"The Commission is to consider the claims precisely as if they still constituted subsisting demands against the Government of Spain; for, although the United States has undertaken to 'adjudicate and settle' them, they remain in their nature international, and are to be tried by the principles by which the liability of independent nations, one to another, is governed."

Mr. James Russell Soley, in a more extended statement said:

"The statute constituting this tribunal rightly prescribes: 'It shall adjudicate said claims according to the merits of the several cases, the principles of equity and of international law.' But the tribunal, in so passing upon the claims, cannot ignore the fundamental fact that the real controversy here, whatever may be the attitude of the Attorney-General, is a controversy between two states, the United States on the one hand, whose citizens have been injured, and Spain on the other, which is responsible for the injury. The Commission is to determine primarily the question, what amount Spain should have paid to the United States for each of these claims had the United States not assumed their payment. In its technical position of a defendant against these claims, the United States stands in the place of Spain, and no defence is open to this technical defendant that would not have been open to the real defendant in the controversy."

The conclusions thus reached as to the real attitude of the claimants towards Spain and the United States, and as to the duty of the Commission to test, by the rules of international law, the validity of each claim presented, were supported by a consensus of opinion among counsel for the claimants, which would have been practically unbroken if Mr. Kennedy had given his assent. At a later day, he ably presented his contrary view, strongly seconded by the Hon. John G. Carlisle. The Commission, although a tribunal of domestic origin, considers its duty to be to

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administer the law of nations just as an admiralty court of domestic origin administers that law. Speaking of the duty of such a court, Lord Stowell said, in the case of the "Maria":

"It is the duty of the person who sits here [at London] to determine this question exactly as he would determine the same question if sitting at Stockholm; to assert no pretensions on the part of Great Britain which he could not allow to Sweden in the same circumstances."

International law has no locality; the method of its administration has nothing whatever to do with the origin of the tribunal by which it is administered.

Charged as it is by the act creating it with the duty of applying the law of nations to the claims pending primarily against Spain, the Spanish Treaty Claims Commission has been forced to formulate, with more precision and exactness of definition than was ever given them before, the international rules regulating the liability of a parent state in the presence of an insurrection which passed, from the very beginning, beyond its control. If the rules as thus formulated stand the test of criticism, if they are accepted generally by publicists as sound expositions of the principles involved, the work of the Commission will become notable in the history of international law. The following is the text of the eleven rules laid down by the Commission, which defy abridgment:

"1. Under Article VII of the treaty of Paris, the United States assumed the payment of all claims of her own citizens for which Spain would have been liable according to the principles of international law. It follows, therefore, that the sole question before this Commission is that of the primary liability of Spain, which is not in any way enlarged by the agreement of the United States to adjudicate and pay such claims.

"2. Although the late insurrection in Cuba assumed great magnitude and lasted for more than three years, yet belligerent rights were never granted to the insurgents by Spain or the United States so as to create a state of war in the international sense which exempted the parent government from liability to foreigners for the acts of the insurgents.

"3. But, where an armed insurrection has gone beyond the control of the parent government, the general rule is that such government is not responsible for damages done to foreigners by the insurgents.

"4. This Commission will take judicial notice that the insurrection in Cuba, which resulted in intervention by the United States and in war between Spain and the United States, passed, from the first, beyond the control of Spain, and so continued until such intervention and war took place.

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"If, however, it be alleged and proved in any particular case before this Commission that the Spanish authorities by the exercise of due diligence might have prevented the damages done, Spain will be held liable in that case.

"5. As war between Spain and the insurgents existed in a material sense, although not a state of war in the international sense, Spain was entitled to adopt such war measures for the recovery of her authority as are sanctioned by the rules and usages of international warfare. If, however, it be alleged and proved in any particular case that the acts of the Spanish authorities or soldiers were contrary to such rules and usages, Spain will be held liable in that case.

"6. As this Commission has been directed by Congress to ascertain and apply the principles of international law in the adjudication of claims of neutral foreigners for injuries to their persons and property caused by a parent state while engaged in subduing by war an insurrection which had passed beyond its control, it cannot fail, in determining what are and what are not legitimate war measures, to impose upon the parent state such limitations as the consensus of nations at the present day recognizes as restricting the exercise of the right to remove all the inhabitants of a designated territory and concentrate them in towns and military camps, and to commit to decay and ruin the abandoned real and personal property or destroy such property and devastate such region.

"7. Adopting, therefore, a wide and liberal interpretation of the principle that the destruction of property in war where no military end is served is illegitimate, and that there must be cases in which devastation is not permitted, it should be said that, whenever reconcentration, destruction, or devastation is resorted to as a means of suppressing an insurrection beyond control, the parent state is bound to give the property of neutral foreigners such reasonable protection as the particular circumstances of each case will permit. It must abstain from any unnecessary and wanton destruction of their property by its responsible military officers. When such neutral foreigners are included in the removal or concentration of inhabitants, the government so removing or concentrating them must provide for them food and shelter, guard them from sickness and death, and protect them from cruelty and hardship to the extent which the military exigency will permit. And, finally, as to both property and persons, it may be stated that the parent state is bound to prevent any discrimination in the execution of concentration and devastation orders against any class of neutral foreigners in favor of any other class or in favor of its own citizens.

"8. Subject to the foregoing limitations and restrictions, it is undoubtedly the general rule of international law that concentration and devastation are legitimate war measures. To that rule, aliens as well as subjects must submit and suffer the fortunes of war. The property of alien residents, like that of natives of the country, when 'in the track of war,' is subject to war's casualties, and whatever in front of the advancing forces either impedes them or might give them aid when

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appropriated, or if left unmolested in their rear might afford aid and comfort to the enemy, may be taken or destroyed by the armies of either of the belligerents; and no liability whatever is understood to attach to the government of the country whose flag that army bears and whose battles it may be fighting.

"If, in any particular case before this Commission, it is averred and proved that Spain has not fulfilled her obligations as above defined, she will be held liable in that case.

"9. It is the opinion of the Commission that the treaty of 1795 and the protocol of 1877 were in full force and effect during the insurrection in Cuba, and they will be applied in deciding cases properly falling within their provisions.

"10. As to the first clause of Article VII of the said treaty, wherein it is agreed that the subjects and citizens of each nation, their vessels, or effects shall not be liable to any embargo or detention on the part of the other for any military expedition or other public or private purpose whatever, the Commission holds that, whether or not the clause was originally intended to embrace real estate and personal property on land as well as vessels and their cargoes, the same has been so construed by the United States, and this construction has been concurred in by Spain; and, therefore, the Commission will adhere to such construction in making its decisions.

"11. But neither this particular clause nor any other provision of the treaty of 1795 will be so applied as to render either nation, while endeavoring to suppress an insurrection which has gone beyond its control, liable for damages done to the persons or property of the citizens of the other nation when found in the track of war, or for damages resulting from military movements unless the same were unnecessarily and wantonly inflicted."

It is reasonable to say that an application of the foregoing rules to the pending cases will sweep at least three-fourths of them from the docket. Under these rules, it is only in exceptional cases that claimants can hope to recover. Under such circumstances, it is perfectly natural and proper that counsel for claimants should be averse to bringing their cases to final hearing, hoping, as they do, to have the findings of the Commission, as to general principles, reversed upon appeal to the Supreme Court of the United States. That the Commission is far more eager to proceed than counsel for claimants is evident from the fact that, on May 2nd, 1905, the Commission heard motions to dismiss for want of prosecution in 141 cases, the result being that, while there were 33 cases dismissed for that cause, there were 153 extensions of time on written applications of claimants for causes shown, which included 45 cases of extensions where dismissals

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had not been asked for. No complaints were made of delay or neglect on the part of the Commission, or of the Assistant Attorney-General and his associates, in the full attendance of counsel present. On January 30th, 1906, the Commission heard 107 claimants who had been ordered by the Commission itself to show cause why their cases should not be dismissed for want of prosecution, and also 50 motions of the Attorney-General to dismiss for the same cause, with the result that, either in writing or orally, all claimants successfully resisted dismissal and insisted upon further time. The reason for this holding back upon the part of claimants is fully explained by Mr. Kennedy, when he says: "Congress should grant an appeal to the Supreme Court of the United States, and thus secure a judicial construction of Article VII of the Treaty of Peace, as its importance demands." A bill with that object in view is now pending in Congress, to which the Commission is making no opposition whatever. If the bill passes, as it likely will, the claimants will have the opportunity to have reviewed in the court of last resort principles of international law which interest publicists in every part of the world.

HANNIS TAYLOR.

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SOME RECENT POETRY.

BY LOUISE COLLIER WILLCOX.

It is particularly the function of poetry to elevate and to touch the emotions. Poetry can never strike a low note, or become commonplace and vulgar. It is a different matter with prose. Its traditions may alter and its forms deteriorate, as witness the present development of that fine and solid body of English literature, the novel. Two men still living, but alas! no longer writing novels, have practised the art in the grand style; but otherwise the English novel of to-day is to the real novel as a ballet-girl to a queen.

The English have been fortunate, beyond all rivalry, in their poets, and nowhere else; surely in no other modern literature, can we turn to such a wonder galaxy of names as those singers of our own tongue, from Shakespeare's predecessors to the present day, still crowned by the name of one of the greatest, Swinburne.

There is a lull in the singing just now, and one can turn to no such group of poets as lived in the last half of the nineteenth century, when Tennyson was at Farringford, when Browning dined out in London, when Rossetti and Swinburne and Morris were in full song, and Christina Rossetti was still living in Torrington Square and singing her quiet songs between church offices.

It has been said by an editor of wide experience with men and letters that the day of great men as individuals is past, and that this is the day of great cooperation. If that were so, we might well resignedly fold our hands and admit that poetry is past. For poetry, above all else, is individual, first, and conventional, second. All men, so long as they are mortal, are more or less imprisoned in their subjectivity. Anatole France says:

"Every time we fail of strength to keep silence, we speak of ourselves; . . . . What would I not give to see for an instant heaven and earth with

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the eyes of a fly, or to understand nature with the brain, rough and simple, of an orang-outang."

But to the end of time our vision of the universe is tinged with our own personality, and our utterance is drenched in our own experience. Poetry, which is always either too elemental or too sublime to assume the disguise of sophistication, which must by the large and serious nature of it deal with such intimate themes as love and grief, hope and death, can least of all attempt to escape the bonds of personality. No dramatic disguise hides the author's self. If at times, as in the case of Shakespeare, it seems impossible to find the man beneath the great body of wide-ranging thought and work, it is only that we are too little to track him through the mazes of so roving and unlimited a curiosity of life. The fact remains that he who writes poetry writes of himself and he who understands it hears his own experience repeated:

> **"As if there were no tale but your own tale,**
> **Worth knitting to a measure of sweet sound."**

If the matter of poetry sets different demands, refusing whatever is slight and sophisticated, its manner is avowedly a great art. There can be no confusion on this subject. That high-sounding but easily misconstrued dictum, "that perfect simplicity is the highest art," so frequently brought forth for the uninstructed, cannot hold good here. Even in prose, perfect simplicity is only permissible to those who have attained the heights, and whose simplicity is the rarefied atmosphere above the clouds; but in poetry the great simplicity belongs only to a supreme and final master, to Dante and his kin. It is difficult to find in Shakespeare or in Milton a line which conveys with the same swiftness and simplicity as much as:

> ***"In la sua voluntade è nostra pace."***

The use of rhythm in English calls for a peculiarly sensitive and musically trained ear, and the language requires the subtlest sense for diction and an intimate acquaintance with the associational value of words through the history of literature. It is a lack of just such training which allows the young author to stumble into such a pitfall as to begin a line with "In such a night." Inevitably, the magic words rise to the mind:

> **"Stood Dido, with a willow in her hand,**
> **Upon the wild sea banks, and waved her love**
> **To come again to Carthage."**

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And what a shock it is to complete the sentence with: "Men wed and woo"! A more important poet has recently marred a fine scene by a bit of evidently quite unconscious reminiscence in writing:

> "The gentle deed undone, the word unsaid,
> The hand of help withheld, love ungiven,
> Float like mirage above the quivering air,
> Shining and palpable and quickly gone."

It brings up the more beautiful passage from "In Scheria":

> "Ah me, the ways untrod, the words unsaid,
> The gracious memories unremembered,
> The dreadful presence of what might have been,
> And life eternal of things done and dead."

Again, an ode in the rhythm of Keats's "Ode to a Nightingale" lost all its most beautiful stanza by using the sound "painful breath" at exactly the point in which Keats, in his most beautiful stanza, has the rhymed sound "easeful death." So that the mind inevitably wandered from the poem in hand to saying:

> "Darkling I listen and for many a time,
> I have been half in love with easeful death."

So poetry, to be poetry at all, requires a higher endowment than prose: first, depth of original feeling; then, a wide knowledge of literature; and, then, the sympathy that perceives and assents to the convention of art.

The mantle of the Elizabethan era fell unquestionably upon the early Victorian novelists. As the novel deteriorated beyond the point when it could be taken seriously, the question arose as to where we should look for literature. It was some time before any one form seemed to acquire body enough to be considered. Now there is a definite tendency towards the poetically conceived drama. Stephen Phillips has already made a considerable contribution to this *genre* in "Paolo and Francesca" and "Ulysses." In the last two years he has added "The Sin of David" and "Nero."* Both plays have been written with an eye to stage production, and both, it would seem, ought to be successful as plays. The outcome in "The Sin of David" is not dramatic. For a man and his wife, after the death of a child, to walk off the stage with heads bowed, admitting that their union is spirit-

* Stephen Phillips: "The Sin of David." The Macmillan Company, 1904. "Nero." The Macmillan Company, 1906.

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ually sealed by sorrow, is not dramatic according to the old tradition. But the laws of dramatic structure are evidently undergoing change, and we cannot build the modern poetic play up into Introduction, Growth of Complication, Crisis, Episodical Interruption of Action and Catastrophe, as we could the Shakespearean drama. It is only necessary to call to mind the slamming of a door, which is the end of one of the most successful of Ibsen's plays; the woman doing sums, which is the closing scene of Shaw's most notorious play; and the slow, philosophic disquisition upon life and time of Merlin, which precedes the dropping of the curtain in Maeterlinck's last play, to realize that the tradition of scattered dead bodies, poison, treason and triumphant entries is no longer the order of the day for the finale.

Whether it be the attempt to meet the public taste, or whether it be the inevitable expression of self, it is certain that Phillips does not delve as deeply into the philosophy of life as do most of the moderns. He is dramatic and frankly obvious. From the beginning, every crisis and temptation is duly heralded by storms, lightning and thunder, in purely melodramatic wise, and this instinct only fails in the final scorn of the unities, when the punishment comes five years after the crime and in so unrelated a manner as the untimely fading of the child of the forbidden union. "Nero" gains in many ways upon "The Sin of David." It is a more dramatic theme, and works up better to a climax in Nero's frenzied address to burning Rome. Moreover, there is philosophic content and some subtlety of insight in his study of the peculiar harshness and cruelty of the æsthetic temperament with its inability to release itself from the dominance of the senses.

There are times when the poet's ear seems to be at fault. The speech of Agrippina—in the scene of the final supper with her son, which is to throw her off her guard and precede her murder, a moment full of moonlight stillness and tenderness, a hush which should surely only be broken by most liquid and flowing syllables, a speech which an artist like Swinburne would surely have managed to put into sounds of v's and m's with predominant long vowels—is marred by lines as hard to utter as:

> "Beautiful night that gently bringest back
> Mother to son, and callest all thy stars
> To watch it. Quiet sea that bringest peace

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Between us two. Hast thou not thought how still
The air is with silent pleasure?"

In the five lines the hard *th* sound occurs eight times; *st* or *ts*, only second in harshness, occurs ten times; there are twenty *t* sounds, twelve *s* sounds, and only five long vowel sounds.

In this matter of a fine ear, we have a greater poet on this side the Atlantic in William Vaughn Moody.* It is difficult to say by what magic we know the born poet when he speaks. The sudden indrawn breath, the shivering thrill, when we hear his song, these proclaim him though there is little to be said about it. The most beautiful and touching things remain ever a little vague, a little mysterious, ever beyond our grasp. Beauty, virtue and genius keep their secret, and no man ever dissects them or plucks out the heart of their mystery. Of all the recent poets, it is Mr. Moody who gives us this thrill. Try as we will, we cannot say wherein his whole excellence lies, although there is much, doubtless, in his wide roving, quickly fired imagination that moves easily amongst "heirlooms of dynasties of buried kings," or

"Old alphabets and faded lore,
Fallen from ecstatic mouths before the flood,
Or gathered by the daughters when they walked
Eastward in Eden with the sons of God,
Whom love and the deep moon made garrulous."

Much, too, in the lilt and buoyancy of his use of the iambic tetrameter, the most perfect of all lines for the short lyric, the quick, sudden dropping to a trimeter couplet in the latter half of the stanza; more, too, in that depth of feeling, that touch of the universal, which pierces to the very centre of us and makes the whole world kin, just such a touch as comes out in "The Daguerreotype." At any rate, he knows little of poetry who ran across the first volume of Moody's poems and failed to recognize one of the elect. It is a book with which one can still contentedly pass the afternoon, reading it over, pointing out fine lines and unexpected touches of genius:

"O hark how it blooms in the falling dark,
That flower of mystical, yearning song,
Sad as a hermit-thrush, as a lark
Uplifted, glad and strong.
Heart, we have chosen the better part,

* William Vaughn Moody, "Poems." Houghton, Mifflin & Co., 1901.

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Save sacred love and sacred art,
Nothing is good for long."

Mr. Moody has made his contribution to the poetic drama in "The Firebringer,"* the first member of a poetic trilogy on the Prometheus theme. Unlike Shelley's "Prometheus," the drama of "The Firebringer" plays amongst men and does not portray the battle between Zeus and Prometheus. It is much more allegorically and lyrically than dramatically conceived. The imagery is full of beauty. Indeed, Mr. Moody shows that quick and delicate sensibility to nature, that close relation to the visible world, which is one of the hall-marks of true genius.

"Then for an endless season sat she there,
Her head between her knees, and all her hair
Spread like a night pool in the autumn woods.

"Trust not the sea! *Look where the frothing lip*
Curls off the giant fang."

There is an anecdote of Flaubert that, during de Maupassant's term of tutelage, he instructed him to look at an object until it looked to him just as it looked to all men, and then to look at it until it looked as it never had looked to any other man. This is to write with the eye on the object, but it is also to write with that magical glamour which is only born of the dreamer's vision.

The creative power of poetry is ever and ever a new marvel. To rewrite "Prometheus," to write it with a glowing visible world, a hopeless humanity, a bold, fate-defying saviour and a profound philosophy of life, and to do this within an hundred years of Shelley's masterpiece, might seem a bold undertaking; but, as Shelley himself said, "poetical abstractions are beautiful and new, not because the portions of which they are composed had no previous existence in the mind of man or in nature, but because the whole produced by their combination has some intelligible and beautiful analogy with those sources of emotion and thought and with the contemporary condition of them." So in Moody's representation there is no reminiscence. There is fine philosophy of doubt, despair and resignation in Deukalion's first utterance. Pyrrha has dreamt of seeing fire and he answers:

"Dreams: we are old. The green heart and the sear
He feeds with dreams having some purpose in it:—
Or else his idleness."

* William Vaughn Moody, "The Firebringer." Houghton, Mifflin & Co., 1904.

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The despair of humanity comes out in the man's voice who gives that lyric cry:

> "My soul is among lions! God, my God!
> Thou seest my quivering spirit what it is!
> Oh, lay not life upon it! We not knew
> The thing we asked for! We had all forgot
> How cruel was Thy splendour in the house
> Of sense, how awful in the house of thought,
> How far, unbearable in the wild house
> That Thou hast cast and builded for the heart."

There are two points that we look at in judging a new poet, imagery and diction, and in these two points only one poet of late years, Francis Thompson, and he already a classic, stands higher than Moody.

Still another poetic drama which attempts, like "The Firebringer," the justification of the ways of God to man, is Percy Mackaye's "Fenris, the Wolf."* The theme is drawn from Scandinavian mythology. Fenris is primitive man, who, in the course of the drama, is trained by art and love, Baldur and Freya, to be true man and capable of renunciation. Certainly, Mackaye has individuality almost to the point of being fantastic. Individuality is a necessary part of the poet's make-up, but convention is equally necessary. By convention he enters into the sympathies of his readers and avoids giving shock and repulsion. Mackaye impresses one as a poet with growth ahead of him, with many large ideas still partially in embryo and with some roughnesses to smooth. The alliteration of all Fenris's early speeches is overdone. A little more hesitation about extravagance, a little more classical restraint would add distinction to the undeniable originality and power.

If these men have given us philosophy of life, the three women poets who have dealt with the same form have given us theories of love.

Mrs. Drummond† has chosen the "Alcestis," that beautiful story of woman's courage in love and death, and it is very interesting, after reading the tale as told by one of the most masculine of poets, Browning, to hear it again from one of the most

* Percy Mackaye: "Fenris, the Wolf." The Macmillan Company, 1905.

† Sara King Wiley: "Alcestis." The Macmillan Company, 1905.

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exquisite and delicate of women poets. Mrs. Drummond had already published a play called "Cromwell" and a volume of lyrics. The "Alcestis" is carefully built on a Greek model, opening with a fine hymn to Apollo, with strophe, antistrophe, epode and full chorus. There is something Greek, too, in the cheerful love of man and of life, in the restraint and marble purity of the form of the poem. There is something truly American in the tenderness with which she cloaks the cowardice of the old father and mother, and with which she hardly gives Admetus time to realize the sacrifice which is being made for him until it is done; with which, too, she entirely does away with Herakles's revels, so thoroughly enjoyed by Euripides and Browning. The lament of Admetus after the death, the sudden sense of emptiness and void, is very finely done, for Mrs. Drummond has an almost Keatsian power over the fine and memory-haunting phrase:

> "My kingdom is no more than parcelled earth."
>
> "She cast a radiance round her like the moon,
> Gentling the rough, dark world with silver rays."

Mrs. Drummond's volume is the most exquisite blossom of a delicately nurtured womanhood and a high and effective culture. The conception of love is nobly spiritual, and the description of grief restrained and reticent.

It is interesting to turn from this volume to the Princess Troubetzkoy's "Seléné."* The impression of far vision and clear whiteness which Mrs. Drummond's play gives is changed in "Seléné" to a prism of brightness with yellow for the main color. There is saffron-colored hair, a crown of jonquils and stars—a wonderfully charming bit of vision this is, too—a boat of thinnest ivory tipped with golden wings; there is sunlight and golden moonlight, fire in the jewels and blue in the blossom and deep-colored flowers everywhere. The play, though a Greek myth, is a highly modern, romantic, temperamental study of passion. The visual sense is predominant, the sense for color almost obliterating line. We trace the same personality in this poet which produced those striking and romantic tales of the time of Shakespeare, a personality exuberant, intense, highly endowed, imaginative and undisciplined. There is one very lovely bit of sound in the poem:

* Amélie Rives: "Seléné." Harper & Brothers, 1905.

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"Anon came bubblings soft, and limpid gush
Of music, airy, lorn, mysterious,
Like that which fluctuates on stilly nights
About the hollow silence of a ship,
Wherein a poet lies awake for love."

The play is a play to read—to read at leisure, never hurrying from one bright-colored picture to the next, but letting the prismatic visions sink into the mind one by one. Mrs. Drummond's play, on the contrary, would permit of production, and, as a matter of fact, was written as the libretto to an opera, and has already been set to music and given once or twice to selected audiences.

We turn from these two dramas to one called "Tristram and Isoult," by Martha W. Austin.*

If Mrs. Drummond followed in the steps of Browning in choice of subject and the Princess Troubetzkoy in those of Keats, Miss Austin by her choice invites reminiscence of Tennyson, Swinburne and Arnold. She claims in her preface to have kept her story as close as possible to the Malory version. The play opens with a dialogue between Guinevere and Isoult after the tournament in which Tristram has won the carcanet. There are frankly human and modern touches in the talk, as far removed from Mrs. Drummond's pure whiteness and marble calm as from the Princess Troubetzkoy's sunset-colored vision. The queens compare their guilty loves. Isoult says:

"I put my love on like a crown,
To wear it in men's sight. 'Tis Tristram makes
Me queen—not Mark."

And Guinevere, all doubt and pain, says:

"Love has no peace.
I dread that Launcelot of straining up
May tire, to reach the joys forever out
Of reach, and take some nestling happiness,
That is not noble, that is near."

The author is full of feeling for the beauty of nature, and the play is replete with fine bits of description, allying nature to the moods and passions of man. There is one fine outcry upon life:

"What are we but a column of towering dust,
Raised by a breath of passion in the waste,
And when the wind hath passed we fall to dust."

* Martha W. Austin: "Tristram and Isoult." The Poet-Lore Company, 1905.

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This is not quite so fine as the laconic reply of Canton's beggar, who, being asked who he was, replied:

> "Sire, a little dust that life blows up and down
> And death will lay."

"Tristram and Isoult" is dramatic; it has movement and passion, especially real passion in the last scene and the final speech of Isoult, but it lacks elevation of thought and feeling and technique in the management of run-on lines.

To turn from this to the lyric pure and simple, that form in which the mass of modern poetry is composed, we find two masters, one of whom has given us a new volume and one a collected edition of his works. The edition of 1898 of William Watson's Poems* made too many omissions. An artist in the highest sense, fastidious and severe, Watson is not a poet of whose production we can afford to lose a line. Chiselled and polished, finished as a gem-worker's cameo, everything he has written is of value, and the fuller collected edition of his work of 1905 is therefore warmly welcome. It is futile to mention that Watson is not of the warm, impulsive, quick-producing temperament. He is austere, restrained and of a somewhat insular patriotism for this cosmopolitan age. He has the critical temperament and the poetical medium. His elegiac poems, the sonnets and the epigrams, contain perhaps as fine a body of critical work as any poet has ever produced. The lyrics are meditative and descriptive. He is akin to Arnold on the one hand and to Wordsworth on the other, although he offers no such philosophy of life as the great philosopher poet, who found a remedy for all ills in the simple life of union with the whole of nature. Unlike the mass of modern poetry, Mr. Watson's is sculpturesque in its incisive outline, its aversion to whatever is perfervid, colored and hazy. In "A Prelude," he himself sets his limit:

> "Not mine the rich and showering hand that strews
> The facile largess of a stintless muse."

But at least there can be little dissension when we say that, of living poets, there is but one name to place before his.

It is pleasant to note that the master who has given us a new volume is one of the first to have hailed Watson, and that in these volumes they have addressed congratulatory and admiring

* William Watson: "Poems." John Lane Co., 1905.

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poems to each other. Richard Watson Gilder's "Impromptu to William Watson on his Coronation Ode"* is fine, but may we not also apply "To a New Poet" to the same inspiring source?

"Friends, beware!
A sound of singing in the air!
The love song of a man who loves his fellow men,
Mother love and country love, and a love of sea and fen.
Lovely thoughts and mighty thoughts and thoughts that linger long,
There has come to the old world's singing the thrill of a brave new song."

Among the loveliest of these new lyrics by Mr. Gilder is that sad and perfect little gem, "The Light Lies on the Farther Hills." There is something in the tone of it which turns us back to Watson's "Blind Summit," with its refrain of:

"'Tis cold and clouds shut out the view."

To this delicate and noble singer, truly, his own words shall some day apply:

"This is the poet's triumph, this his doom!
After life's stress,
For him the silent, dark, o'ershadowing tomb
Is shadowless.

"And this the miracle, the mystery:
In that he gives
His soul away, magnificently free,
By this he lives."

A. E. Housman's† "A Shropshire Lad" gives the lyric in its purest form. There is not a poem of over seventy-six lines in the tiny volume, and many of them consist simply of two quatrains. These little lyrics are forceful, pointed and cynical, having a romantic feeling for despair and a Greek preoccupation with death as the end of all things.

"You smile upon your friend to-day,
To-day his ills are over;
You hearken to the lover's say,
And happy is the lover.

"'Tis late to hearken, late to smile,
But better late than never;
I shall have lived a little while
Before I die forever."

* Richard Watson Gilder: "In the Heights." The Century Co., 1905.
† A. E. Housman: "A Shropshire Lad." McClure, Phillips & Co., 1904.

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This is the simplest singing quality. There is poetry in everything, everywhere, if a man has a heart to see it and the gift of rhyme. There is a true Heinesque quality in this gift of singing the simplest of chance thoughts in the most every-day words. Perhaps the finest poem in the collection is the one so full of yearning for rest, beginning,

> "Be still, my soul, be still; the arms you bear are brittle,
> Earth and high heaven are fixed of old and founded strong;
> Think rather—call to thought if now you breathe a little
> The days when we had rest, O soul, for they were long."

The Celtic renascence has made a large contribution to literature in the last years, and given nothing more exquisitely rare than Mr. George Russel's three published volumes. Real poets have, somehow, the instinct of hiding, and it is not every day that we run across a volume of such transcendent charm as "The Divine Vision."* It is a book that lifts us from the hubbub of daily active life into the thought-swept regions of the dreamer's loneliness. Its spirit throughout is one of ethereal loveliness, and its forms hold a level of fine unwontedness. It abounds in single lines of haunting perfection and large melody:

> "The stars drop down in their blue dominions,
> To hymn together their choral song."

> "While we are in the calm and proud procession of eternal things."

> "Her nest of primroses within her breast,
> Twilight hath folded up."

In this small volume of fifty-five lyrics, the poet has strode across two worlds; he has moved from the early Celt mythology to the disembodied future; he has dealt with the beauty of the universe, with the reconciliation of God and man, with love and knowledge and renunciation, with grief and hope and resignation. When the particular gift of the poet is perfection of finish, a choice amongst his poems is but little more than an expression of temperamental bias, but it is difficult to close the book without mentioning "Reconciliation" and "A Midnight Meditation," as containing the quintessence of this poet's charm.

William Butler Yeats's "In the Seven Woods"† is also a volume of Celtic verse. Yeats is a better-known poet and a

* A. E.: "The Divine Vision." The Macmillan Company, 1905.
† William Butler Yeats: "In the Seven Woods." The Macmillan Co., 1903.

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much more copious writer than A. E. This latter poet, in dealing with Celtic romance, has used only the universal symbols, so that one never feels the need of adjustment to a foreign atmosphere. With Yeats one does feel this. He gets fine effects from strange names and alien sounds, but he continually introduces restricted symbols that mean nothing to those outside the special cult. There are many lines that will not scan in the book, there are paragraphs that need only the dropping of a capital letter to make them excellent prose, but despite this there is true poetry in the perception of beauty in nature, in conduct and in feeling.

"The Great Adventure"* is a volume of seventy-eight rarely fine sonnets. The sonnet must be:

> "Of its own arduous fullness, reverent,"

said the greatest of modern sonneteers, and to this Mr. Lodge's sonnets attain. "The Great Adventure" is the spiritual venture of life, going forward to death's inscrutable, divine event.

> "He said: 'We are the great adventurers,
> 'This is the great adventure: thus to be
> 'Alive and on the universal sea
> 'Of being, lone yet dauntless mariners.
> 'In the rapt outlook of astronomers,
> 'To rise through constellated gyres of thought;
> 'To fall with shattered pinions overwrought
> 'With flight, like unrecorded Lucifers;—
> 'Thus to receive identity, and thus
> 'Return at last to the great element,—
> 'This is the great adventure!' All of us
> Who saw his dead, deep visioned eyes could see,
> After the great adventure immanent,
> Splendid and strange, The Great Discovery."

Certainly this is the finest collection of sonnets since Rossetti's "House of Life." If one hesitates to say the word "great" of them, the fault lies rather with the theme than with the execution. It is almost too abstract for form, and from time to time, in reading them as a connected whole, one has that sense of barrenness which results from the lack of all concrete images. The verbal power and felicity are very great, and so also is the application of that principle,—an art in which Rossetti has excelled all other sonnet writers,—the working up of the sonnet to a climax and ending on a line of high, resonant, fine-sounding words:

* George Cabot Lodge: "The Great Adventure." Houghton, Mifflin & Co., 1905.

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"And saw strange splendours in the abyssmal air."

"The inveterate taciturnity of Death."

"The graves of the interminable hours."

"Quarried in dim, deep strata of the soul."

As science transforms force into what is useful, so art transforms feeling into what is ennobling. Poetry appeals only to a certain depth of nature and a certain height of culture. It requires some effort to penetrate into its secret and to live with its habitual temper of exaltation. It is the output of serious and lonely minds and makes appeal to the serious and lonely moments of its audience. It is to be hoped that every man saves himself some of these, for in them lie the true pulse and savour of being.

LOUISE COLLIER WILLCOX.

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SCIONS OF ARISTOCRACY IN AMERICA.

BY HESTER DORSEY RICHARDSON, PRESIDENT OF THE PUBLIC RECORDS COMMISSION OF MARYLAND.

THE sentiment of American equality was an outgrowth of the Revolutionary War and the patriotic spirit of frowning down all that smattered of Kings and coronets. Men who had worn the silk coat, satin breeches, jewelled buckles and curled wig of the Court Gentleman, donned homespun, flouted the wig, and discarded the use of the signet ring on legal documents. Jeffersonian simplicity was the first orchid that bloomed on the tree of American Independence.

The same spirit that caused our great-grandsires to erase the family arms from the ancestral plate, and throw the escutcheon in the fire, was responsible for the suppression of family history, since family history was regarded as tending to foster aristocratic ideas; for it must be remembered that, to be loyal to America, these old patriots denounced and renounced the King—and with him all things English—and, as their ancestors were loyal British subjects, *they* were given up with the allegiance.

As a result of this ruthless snapping of the ancestral chain which must forever bind Americans to the mother country, the nineteenth-century gentleman was far more interested in the pedigree of his horse or dog than in that of his children, and he knew much more about the age of his wine than of his family.

With the declaration of American equality the scramble for the American dollar began, which resulted in the supremacy of the successful rich; and as wealth is not always to the fit, we as a nation have lived to suffer to the third and fourth generations of those who tabooed pride of birth and laid upon us the stigma of an aristocracy of money. I say "stigma," for pride of birth is justifiable, since it is always based upon some service to King

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or country which presupposes self-sacrifice or heroism, while pride of wealth is ignoble, since it is many times a monument to avarice or shrewdness, if not to chicanery.

With increased facilities for travel, rich Americans became globe-trotters, and soon began the international marriages between the beautiful American heiresses and the foreign nobility, in which all the world believed that the lovely Americans had only their wealth and beauty to barter for a title, and that *ancient lineage* was the one thing they lacked.

Whether or not it was because of the assumption by foreigners of social superiority, based upon descent from old and honorable families, or because of the natural swinging back of the pendulum which had gone too far in the universal ignorance of our progenitors, certain it is that Americans have at last stopped long enough in the struggle for pelf to learn if they are really so new as they have been painted.

That age has always been as desirable for family as for wine is too well known to need emphasis, and it is a happy sign of the times that Americans have swung away from the old idea that to be interested in one's ancestors was contrary to the spirit of American equality, for ignorance of our origin has not kept down inequalities in our social life, in which classes have always really been as distinctly marked as in any monarchy. In every State in the Union, a few families possessing wealth and influence have always been recognized as the "first families." Local historians have emphasized the official services of their forebears, until in each community a few names stand out as the peers of that especial realm.

Since the organization of the various patriotic societies, it has been found, through the original research which they have initiated, that no half-dozen men settled the country, served the King, fought against him, and founded the nation! The patriotic societies have, in breaking down the narrow worshipping of a few names, been in fact great levellers, and have opened the door to investigations which have been much further-reaching than their own.

The Colonial and Revolutionary organizations end their researches with the official services of early settlers in the formative period of our national life, or with the part taken in the War of Independence by the descendants of these first-comers. But the

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same spirit which prompts the archæologist to dig at Assos, Babylon or Nineveh, that moves the scientist to search through the various strata of the earth until he finds the fossils of the eocene period, has compelled the student of American history to grope through fading parchments in dim-lit vaults for light upon the *origin* of the Colonial settlers of America.

The American Historical Research Society, under the encouragement of the Carnegie Institute, has had its representatives in England, digging out from the unpublished British archives sources of American Colonial history. State legislation has taken up the question of the preservation of the Colonial records, and Commissions have been created to pass upon their condition and to recommend means of preserving them. All of which goes to show that the question of her early history has become a vital one to America.

It is with this same interest in our national history, based upon belief that in the lives of the people is written the history of the nation, that the writer turned her particular attention to the *origin* of our early settlers, her field of investigations to the present time having been mainly confined to original resources in Maryland and Virginia, the results of which have proven beyond peradventure that America has an aristocracy based upon lineage as ancient and honorable as any in Great Britain, because it is in many instances of the same blood as the English aristocracy itself. The finding of hundreds of original seals, bearing heraldic devices, attached to legal documents in the Colonial period has fixed the status of these early settlers as gentlemen of quality.

Being familiar with the evidences of an early aristocracy in this country, in the survivals of old mansions and ancient manor houses—of the great hereditary estates which have preserved family names in certain localities as inseparable from the land as in feudal England—the writer has for years been convinced that it was simply lack of investigation which kept us in ignorance of a past history as full of interest and renown as that enjoyed by our British cousins. Tombstones in isolated family burying-grounds on remotely situated estates have, with their coats of arms and memorial inscriptions, told of the honorable lineage of some early Cavalier in Maryland or Virginia. Book-plates and silver, bearing family arms, when such had not been ruthlessly

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destroyed, have been the evidences of claims to ancient lineage in many families; but the *proof* of descent from definite English houses had been long since lost; and tradition without verification, other than circumstantial evidence of decayed relics of Colonial affluence, was all that remained to give us a clue in our investigations. Legal evidence alone can bear the test of authority. The English standard must be the American standard in a matter of this kind.

Therefore we must turn to Sir William Dugdale, Garter Principal King of Arms, who, in the middle of the seventeenth century, set a rule by which armorial bearings were confirmed. In the Lansdowne Manuscript we find, under date of June 15th, 1668, this Sir Knight declaring:

> "It is incumbent that a man doe look over his own evidences for some seals of armes, for perhaps it appears in them, and if soe and they have used it from the beginning of Queen Elizabeth's reigne, or about that time, I shall allow thereof, for our directions are limiting us soe to doe and not a shorter prescription of usage."

Realizing then that arms borne in the American Colonies by British subjects after that date could only be legitimately used, as Dugdale's *dictum* was in force on both sides of the water, I turned my attention to the search for such legal evidences in Maryland and Virginia.

From one ancient depository to another I went, and, in damp old vaults, mouldering and mildewed and falling into rapid decay, I have found the legally used seals of hundreds of the early families of Maryland and Virginia. The use of the signet ring in Colonial America has, therefore, happily forever sealed the status of those early adventurers who brought with them these evidences of their descent.

Lest some question might arise as to the value of these seals as proofs of descent from families of the same names bearing the identical arms in England, I laid the evidences before Sir Edward Maunde Thompson, K.C.B., Director-General of the British Museum, with the request that he submit it to the best authority in England. Promptly the response came back: "I beg to say that I think you may accept the arms and crests used by persons in the seventeenth and eighteenth centuries as authentic." This, added to the opinion of one high in authority at Washington, that "the King himself will no doubt be highly interested in the dis-

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covery of these heraldic seals of the English settlers," has lent a definitely international interest to this find so valuable to thousands of Americans who directly descend from these Colonial gentlemen.

It will soon be three hundred years since the earliest settlers stepped with adventurous foot from the staunch little ships that first touched our shores, and therefore it is only the antiquarian who has kept informed about the things of that far-off time. Burke has even forgotten us, and it is in the extinct and dormant Peerages and the sources known only to the student of English records, and from which Burke draws the information for his purposes, that we have found the identity of our gentlemen adventurers in the family lineages. Indeed, while the writer has gone, seal in hand, to the English records and proven the identity of many of the Colonial settlers, not more than one or two appear in Burke, who is therefore shown to deal with the present aristocracy, which, in a surprisingly large number of cases, is recorded as "created" in the nineteenth century.

Therefore, adding the three hundred years of our American descent to the families of ancient lineage which were flourishing during the reigns of King James, and of Charles I and Charles II, we may claim that American aristocracy is more ancient than the present British aristocracy in many cases.

Americans, however, have no desire to set up an hereditary aristocracy, even though they are pleased to use the coat armor of their ancient forebears. My observation convinces me that the average well-balanced American hangs his ancestral arms in his hall as an object-lesson to his children, just as he hangs the Revolutionary sword or medal of his great-grandsire as evidence of patriotic service at a later date than that for which the coat of arms stands. Both to his mind are emblems of achievement. Therefore, not having a Norroy to see that arms are properly used, every descendant of the parent stem, with true American independence, preserves the family coat armor as best pleases him.

It is the right of Americans, however, to have the truth known about those who founded the nation, and to be content no longer to occupy a position of inferiority in any particular in the mind of the world, either at home or abroad. The finding of these heraldic seals establishes the position of over five hundred of the early families of Colonial Maryland and Virginia, added

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to which are the other evidences of the use of arms in these sections, the least of which are the mention of "escutcheons" in wills and inventories, "silver seals," "seal rings" and "plate" described as "marked with the family arms," increasing the number by many hundreds in the two colonies.

While this new find will prove a revelation to English-speaking people on both sides of the ocean, it should not really be surprising to those who have ever gone very deeply into our early history. The cause of such general ignorance regarding the status of the men who came into Maryland and Virginia is the fact that the mistakes of the ignorant early writers were repeated by the later pseudo-historians, who have taken statements at second hand and have written history without ever having given a day to original research.

The truth is that, during the turbulent reigns of Charles I and Charles II, England was much impoverished by her internal wars and political malversations, and expansion was her only salvation; and, while many emigrated in the name of religion to escape the persecutions which stalked broadcast in the mother country, hundreds came to the American colonies to better their temporal fortunes. Families were large three hundred years ago, and race suicide a crime unknown on either side of the ocean.

The law of primogeniture left the younger sons unprovided for; and hence hundreds of the representatives of Great Britain's best blood welcomed the chance to acquire estates in the new world. The "Conditions of Plantation," published by Cecilius Calvert at London, were particularly attractive to the land-hungry young gentlemen of the "Three Kingdoms," who eagerly availed themselves of the opportunity of founding great manors not unlike those enjoyed by the heir-at-law in England. The Virginia Company, including over two hundred and thirty titled gentlemen of the Court of King James and later of Charles I, had attracted much attention to the advantages of Virginia. Most of these courtiers, who had adventured money in the American enterprise, received patents for large tracts of land in the new country, and, while all did not come out, many came and others sent their sons over to "seat and plant."

These younger offshoots of great English families, like those in Maryland, transplanted into a new and virgin soil, grew in strength and virility, and became the progenitors of many of our

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greatest statesmen, generals and jurists. This is particularly pleasing to the writer, because it bears out her theory that blood tells in a nation no less than in a species. A thoroughbred horse or dog does not spring from a mongrel, and a nation that attains greatness through achievement is but a fulfilling of the law that like produces like; and we are now proving, what we have always believed, that America the Great sprang from the best of a great parent stock, that the seed from which she grew was the seed of greatness.

This brings us to the question of classes in America, of which there are distinctly two—the first, the descendants of the Colonial settlers whose origin has been established, or can be, by the arms used by them in the Colonial period, from whom we claim our American aristocracy of birth and lineage, differing in no particular from that of England prior to the Revolution, when our ancestors on this side of the water were still loyal subjects of the King; and, second, the modern American descendants of the later-day immigrants, all sorts and conditions of men who have come from all parts of the world in search of American liberty, equality and gold.

When King Charles I gave the Charter of Maryland to Cecilius Calvert in the year 1632, he gave him royal rights and privileges, and encouraged him and many gentlemen of very good fashion to lay the foundation for a transplanted nobility across the sea, for he incorporated in the Charter the following:

"Now that the aforesaid region thus described may be *eminently* distinguished above all other regions of that territory, and decorated with more ample titles, know ye that we, of our special grace, certain knowledge and mere motion, have thought fit that the said regions and islands be erected into a Province, out of the plenitude of our royal power and prerogative, we do for us, our heirs and successors erect and incorporate the same into a Province, and nominate the same Maryland, by which name we will that it shall hereafter be called.

"Moreover, lest in so remote and far-distant region every access to honors and dignities may seem to be precluded and utterly debarred *to men well born, who are preparing to engage in the present expedition*, and desirous of deserving well both in peace and war of us and our Kingdom, for this cause for us, our heirs and successors, we do give full and plenary powers to the aforesaid now Baron of Baltimore, and to his heirs and assigns, to confer favors, rewards, honors upon such subjects inhabiting within the Province aforesaid as shall be well deserving, and to adorn them with whatsoever titles and dignities they shall appoint

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(so that they be not such as are now used in England). We also by these presents do give and grant license to the Baron of Baltimore, and to his heirs, to erect any parcels of land within the Province aforesaid into Manors—to have and to hold court-baron and all things to which a court-baron do belong—and to have and to keep frank-pledge for the conservation of the peace and better government of those parts—by themselves and their stewards or by the Lords for the time being to be deputed of others of those manors when they shall be constituted, and in the same to exercise all things to the view of frank-pledge belonging."

It is shown by the above that Maryland was not a colony of England, but a Province in which the Barons of Baltimore were absolute Lords and Proprietaries, "saving always the faith and allegiance and sovereign dominion due to us, to have and to hold of us, our heirs and successors, Kings of England, as of our Castle at Windsor, in our county of Berks, in free and common socage by fealty only, for all services and not *in capite* nor by knights' service yielding therefor unto our heirs," *et cetera,* "two Indian arrows of those parts to be delivered at the said Castle of Windsor every year on Tuesday in Easter week."

That this tribute was paid for many years we have evidence, as receipts dated at Windsor Castle have recently been found and are now preserved in Maryland.

In his Palatinate, therefore, we find that Lord Baltimore had royal rights and privileges, license to erect courts, create judges, bestow titles and parcel lands into manors after the feudal custom.

As the land is the basis of aristocracy in all monarchical countries, it naturally became so here, as the King distinctly encouraged a transplanted nobility based on the English law of primogeniture and the bestowal of titles upon the deserving and well-born. Class distinctions were at once recognized in Maryland, and gentlemen were recorded as such. They were entitled to be addressed as "Esquire," and with their large estates corresponded to the gentry of England.

So much for the ancient régime which the renaissance of family history is now revealing at the hands of the original investigator, facts which have long been lost are being discovered, and their real value given to things which have been passed over as insignificant.

The social revolution which the legal proofs of an American aristocracy, founded on ancient lineage, will finally institute, is

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not likely to be one of bloodshed, but one which will unite more firmly the feelings of kinship and affection toward which England and America have been steadily progressing for years. And, while the positive proofs exist that there are hundreds, aye thousands, of Americans who are descendants of the royal blood of England, none is likely to contest the claims of the throne with His Majesty King Edward VII. But such American descendants of noble British houses as can prove their lineage and show the requisite number of quarterings which would admit them to equal social rank with their titled foreign husbands, should not be deprived of this recognition of their aristocratic origin.

It is the American way to have the best of everything, and Americans have been accused of buying titles and even ancestors! But in the light of the original research which has for the first time directed attention to the *quality* of the Colonial settlers of America *as a class,* none need hope to assume forebears to whom they are not entitled, while others may find themselves with a lineage beyond the limits of their imagination.

In every Colonial State, there are no doubt as rich finds, in the way of legal evidences of noble British origin, as those which have rewarded the writer for her labors. The work of investigation must be carried on by the seeker after truth in every ancient capital, both North and South, before the whole story of our American Aristocracy can be told.

No higher tribute can be paid the men who, in settling this country, laid the foundation of the nation, than a rational investigation of their origin, and nothing can be more gratifying to the delver than to find the glint of good blood rather than the sombre marks of inferiority.

HESTER DORSEY RICHARDSON.

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THE ASPHODEL.

BY AGNES LEE.

I.

THE MOTHER.

Now all the skill in Honolulu fails
  To keep my English motherhood from loss,
While every hour upon my threshold nails
  The deepening shadow of a tiny cross.

He is so small to go alone, to live
  Alone. He never was alone before!
He is so loving, quivering, sensitive,
  Viable with the breath of beauty, sore
And struck discordant by what is not fair;
  So loving, too, so tender; and, whereas
His years are seven, he never could outwear
  The dear appealing ways a baby has.
Yet when I sorrow, then, oh, very close,
  His cheek against my cheek, he often seems
The mother, I the child, so deep he knows,
  Like a still meadow where the starlight dreams.

The priest was with me, when the word was cast,
  To tell of parting since the world began.
He bade me think on one who, cycles past,
  Renounced her Flower. Oh, but she gave a Man;
While, in my thought's recurrence, I must view
  The daily crucifixion of a child,
Ever in some new grief, some horror new,
  Until I faint for him, my undefiled!

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To linger on the isle of leper men,
Bare Molokai, where sickly noondays burn,
Himself a little blighted citizen;
From heartbreak morn till heartbreak eve to turn
From its foul company to fix his eyes
Upon a distant sail, a floating leaf;
To hear at bedtime for his lullabies
The strokes of the Pacific on the reef,
And, in the dark, without a kindly kiss,
To sob his soul out! Dawn the doom destroy!
For I shall seek a softer way than this
For my sweet love, my little leper boy.

To guide his steps! What holier joy could be?
And with him in his alien path to go!
But the home voices would be haunting me!
Then shall he forth, a little outcast? No!
Silence, my tongue! O speak the terror not!
I know another way. The cure thereof
May for eternal tears be had. Forgot
Be now the creed that I was taught, and love
Be stronger than Jerusalem's high town!
Though anguish of my penance never cease,
Look, Lord of Hosts, look, holy angels, down!
I give my soul forever for his peace!

II.

THE CHILDREN.

Stephana. Our house has grown so large and still, as though
Sweet music had just died in all the rooms.
David. And in the garden, where he loves to go,
There is a hush beneath the heavy blooms.
Stephana. Why has he been three days a prisoner?
Why does she keep him ever from us all?
We saw him from the window look with her,
But come he will not, though we call and call.
David. She said our brother wearied at his play,
That he must rest; and one night more, she said,

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She keeps him in her room. Let us away
To find him gifts while yet the sun is red!
Louise. Now pleasant lie the shallows, where the gold
Green ripple shakes afar the diamond bells.
I'll fill a basket high as it will hold
With charms and pebbles and the fairy shells!
Hugh. In the full stream, like strands of drowning hair,
The silken rushes bend them to the shore.
I'll braid them to a banner he shall bear,
When he is captain of his troop once more!
Stephana. Down in the grove a bird has dropped a plume
Of dazzling snow. I'll run, before the star,
And find it, and I'll make him in his room
A bonny hat as white as white clouds are!
David. How sad our mother called: "Good-by, good-by,
Dear David and Louise, and darling Hugh,
Stephana sweet,—good-by! The day must die.
To-morrow come. I shall have need of you!"
Louise. O hurry, let us down to grove and shore!
For soon the dark will touch the dial's hour.
Oh, we shall bring him back to us once more
With little gifts, and with each gift a flower!

III.

MOTHER AND CHILD.

The Child. What makes the world so beautiful, so still?
The Mother. Love makes it so.
The Child. Is love in everything?
The Mother. Oh, that I do believe! Though hide it will,
Somewhere at every depth its wonders cling.
The Child. The world seems very beautiful . . . and yet. . .
The Mother. What yet? What thought is with you, little son?
The Child. I heard the story of a banished set
Packed close upon a ship—the lepers!—One
Stood out from all the others, lean and bold,
Scaly, with eyes that pierced the twilight through.
And those on whom he looked would horror hold.
O mother, tell me that it was not true!

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The Mother. It was not true.
The Child. Say no such beings are!
The Mother. And no such beings are. It is a sad,
False picture. Put the ugly story far.
The world is beautiful, my lovely lad.
The Child. Yet when alone I shut my eyes, sometimes
I see him gaze at me from out the dark.
The Mother. I'll go and bring a lamp, and sing you rhymes,
To chase the sorry vision as you hark.
The Child. Mother, come back, O hurry close to me!
Mother, I saw him once again!
The Mother. Saw whom?
The Child. Oh, him of whom we spoke! Oh, steadily
He fixed me with his glances through the gloom!
The Mother. Be still, my child. No harm shall come. Flower-bells
Are closing. Nested are the birdlings wise.
Dear speeding rain the misty moon foretells.
The world is beautiful. How fresh it lies!
The Child. Mother, then, mother, go and light the lamp.
Stay not too long. And I shall truly try
To think of birds and flowers, and the sweet damp
That through the window comes, and you close by.
The Mother. I call to you close by, one door between!
(Now strike, O trembling fingers, I command,
The match for me!) . . . His cry! Ah, sudden, keen!
The Child. The leper! Help! He has me by the hand!
The Mother. I come, O darling! Look, the room is bright.
And how I love you, love you! Dear, lie still,
Lie very still. Love holds you safe to-night.
(And shall I dare the dreaded cup to fill?)
Here is a drink, my thirsty love, for you.
It is a drink more sweet than water is.
Raise your dear golden head, and sip the brew!
The Child. Another sip! Now tell me, what is this?
The Mother. It is a human soul. Now drink again!
The Child. I never knew a soul could taste so sweet!
The Mother. My darling! It shall take away all pain.
Now quiet lie.
The Child. I hear strange footsteps beat.

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The Mother. You hear the children in the garden come.
They speak of you upon the terrace now.
I'll sing you what they waft to you therefrom.
(O Sleep, come not too swiftly to his brow!)

She Sings. Now all within love's garden-light
(Gates of a dreamland town!)
Upon your bed of damask white
A pearly dove lit down.

A dove lit down with kisses four,—
Fair English flowers were they,—
And left them with the love it bore,
And flew again away.

Louise's was a lily-kiss
Upon your shining hair.
When I put up my hand, like this,
I feel it resting there.

On one the dew was glistening yet
(Oh, gates of slumberland!)
Hugh gave his dearest violet
To blossom in your hand.

David a yellow daffodil
Bade the dove bear aloft.
It lieth on your forehead still,
Fragrant and fond and soft.

And all within love's garden-close
(The little daylight slips!)
Stephana sent a sweet wild rose
To lie upon your lips.

The Child. Dear little greetings! How I love them all!
The dove goes winging to the moon's high tower. . .

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There is another kiss. . . I felt it fall. . .
And the dove brought it not . . . a stranger-flower.

The Mother Sings.

And all within love's garden-spell
(The mother watched, apart)
An angel brought an asphodel,
And laid it on your heart.

The Child. Oh, I am half asleep! But sing, but sing!
I like to enter dreamland on your voice.
The Mother. You almost fell asleep while listening.
I'll sing another song, some drowsy choice.

She Sings. My little one is quiet now.
The dream shall nestle on his brow.
O Fairer than the Things We Dream,
O Something Greater than We Seem,
And Tenderer than the Earth and Sea,
Mother my little one for me!

The lamp is bright. Yet through the door
Comes dark as never dark before.
Now unto her be sorrow's strife,
Who lifts the pain with his young life.
He sleeps. O Love's Infinity,
Mother my little one for me!

IV.

THE CHILDREN. THE MOTHER.

David. At last it is to-morrow! All night long
Pounded a deafening rain. But morning came,
And swept the beauty of a breeze, like song,
That seemed to say through all the house his name.
Louise. All night I dreamed about my treasures small,
Pebbles and charms and shells of magic rare.
And in my dream I heard them one and all
Like fairy bells go chiming on the air.

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David. The rain upon the roof! You heard the rain.
Louise. It was no rain. They chimed, clear gem on gem,
And laughed his laughter. And I dreamed again:
The bells were gone! Some hand had stolen them!
Hugh. I dreamed that all my rushes I had bound
Beside the stream, and that I hurried there
At dawn. No rushes could I find. I found
Upon their place a strand of golden hair.
Stephana. I made a hat as white as cloud. Then look,
With earliest sleep my endless dream began:
The plume-gay hat my little brother took,
And set it on his head, and off he ran,
I knew not whither. And I wept, because
All night I searched the world, but found him not.
Hugh. Where is our little brother? Nearer draws
The noon. She bade us come. Has she forgot?
David. See! She is standing in the doorway dim.
Mother! Your eyes are strange, your face is white.
Mother! Where is he? We have come for him.

The Mother. Children, your little brother died last night.

AGNES LEE.

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WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

April, 1906.

THE "*Frankfurter Zeitung*," a Radical journal, remarked a few weeks ago that South Africa is destined to be the grave of Liberal prospects. The prophecy is, perhaps, a little premature, but it is certain that British South Africa, since I last wrote, has been wrought up into a white heat of resentment against Sir Henry Campbell-Bannerman's Government, and that Liberalism is showing what is supposed to be its familiar incapacity for Imperial rule.

Three times already has the present Government found itself in opposition to the best Imperial sentiment in reference to South Africa. The problems presented by the subcontinent are grave and manifold, and not all of them, by any means, are of the Liberals' own making. They are the legacy of the war and of the introduction of Chinese labor, under conditions that have shocked the moral sense of England, to work the Transvaal mines. The Liberals have decided to give the Transvaal at the earliest possible moment full responsible government, without the intermediate stage of what is called representative government designed by their predecessors. They have also appointed a commission to inquire into the electoral basis of the future Transvaal Constitution, and to settle whether it is to be on a population or a "one vote one value" foundation. The danger hidden in both these questions is that the Boers may outvote the British, and that the very hand that drafted the ultimatum of October, 1899, may within a year be drafting Ministers' minutes for submission to a British Governor who would have no option but to sign them. In regard to Chinese labor, the Liberals have stopped the further importation of coolies, have agreed to repatriate at the Imperial expense such of them as wish to return to China, and have an-

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nounced that, before responsible government is granted, the Labor Ordinance will be wiped off the statute-book and the whole question left to the people of the Transvaal to discuss and settle as they please—subject to the inherent right of the Crown to veto any legislation that is inconsistent with British ideas of liberty. These decisions have raised a violent uproar in the Transvaal; but how far the agitation is genuine and how far manufactured, whether it proceeds from the people or only from the mine-owners, it is exceedingly difficult to say. My own conviction is that the Liberals have acted wisely as well as boldly in deciding to grant responsible government and in their treatment of the Chinese labor question, and I firmly believe that time will justify them. In particular, their warning that any measure on the lines of the present Labor Ordinance, even though passed by a responsible Transvaal legislature, will be disallowed by the Imperial Government seems to me wholly justifiable. It has created intense resentment in the Transvaal, where the interference of Downing Street in the internal affairs of the colony has rarely worked for good and is at all times looked upon with the utmost suspicion; and, as a general principle, it is of course right and necessary that the Imperial veto should be rarely invoked. But, unless the British Empire is nothing more than a splendid chaos, the power of vetoing measures that are inimical to the welfare of the Imperial Union or to any of the essential principles of freedom or morality with which the British name is associated, must reside in, and must at times be exercised by, the Imperial Government in Great Britain. Nevertheless, though the Government, as I think, has right and reason on its side, the South-African situation is full of perils; and not the least of those perils is the possibility that the Boers, who still desire independence, and the mine-owners whose sole concern is to obtain cheap Chinese labor and plenty of it, may join forces in an effort to cut the painter.

But the Liberals have only themselves to blame if a situation, already acute, has been needlessly intensified. In a debate that took place in the House of Lords, Lord Milner chivalrously assumed all the responsibility for sanctioning the flogging of Chinese laborers who had been convicted of certain offences. His responsibility, as a matter of fact, was merely nominal and official, but to shield a subordinate he came forward voluntarily and took it upon himself. In view of his splendid services to the Empire,

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this small error of judgment might well have been overlooked. But the Radicals, who detest Lord Milner as at once the instrument and the instigator of the policy that provoked the Boer war, seized upon their chance to pillory him. A vote of censure upon him was moved in the House of Commons on March 21st, and the Government, instead of meeting it, as it should have done, with a direct negative, proposed and carried an amendment which condemned the flogging of coolies without mentioning individuals and was aimed at Lord Milner without naming him. In thus refusing to stand by the pilot who weathered the storm, and who won for himself the all but unanimous confidence of the average Englishman, whether at home or in South Africa, the Liberals committed an act which, unjust and treacherous in itself, was peculiarly calculated to inflame South-African sentiment. How little the majority in the House of Commons represented the majority in the nation was shown a week later, when the House of Lords, against the wishes of the Government, but with the entire approval of the man in the street, passed by 170 votes to 35 a resolution expressing "its high appreciation of the services rendered by Lord Milner in South Africa to the Crown and the Empire." A national testimonial to Lord Milner was at once set on foot, and from the character and size of the support that has gathered around it the Liberals may learn how unshakable is the hold of the great pro-consul upon the masses of his countrymen and how deeply his betrayal by the Government is resented.

Simultaneously the Liberals were guilty of an even more serious error. There have of late been several risings among the natives of Natal, and a rising among the natives of Natal means all and more than all that an Indian rising meant in America a hundred and fifty years ago. Natal has a white population of little over eighty thousand, scattered among nearly a million blacks. The disturbances had led to the colony's being placed under martial law. On February 8th, a party of police engaged in the collection of the poll-tax was ambushed by natives and two of them were killed. Twenty-four natives were arrested and brought to trial under martial law. They were legally represented, evidence was heard from twelve Europeans and twenty-one blacks, and the court martial, after sitting for eight days, passed sentence of death upon twelve of the twenty-four accused. On Wednesday, March 28th, the British Government was informed by telegram

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of what had occurred, and at once ordered the death sentence to be suspended pending further information. From every point of view, that was a most unfortunate proceeding. It threw doubt upon the good faith and honesty of the Natal Government, and the mere postponement of the sentence was bound to prejudice the authority of colonial justice in native eyes and to create that impression of uncertainty and weakness in the ruling powers which, of all impressions, is one that whites who are outnumbered by blacks in the ratio of one to twelve can least afford to inspire. The Natal Premier at once resigned, accompanied by all his colleagues, and supported by the practically unanimous feeling of all South Africa, British and Boer, and, I may add, by the not less unanimous feeling of other colonies. When fuller information reached London, it was seen that the British Government had no warrant, either in law, policy or the circumstances of the case, for its interference. The natives were accordingly executed on April 2nd, but not until many harsh things had been said about courts martial and the Natal colonists by Radical sentimentalists in the House of Commons. An appeal was even made to the Privy Council to save the condemned men, but the Lord Chancellor in delivering judgment made it perfectly clear that the case was not one of appeal from a colonial court, but from an executive act with which the Privy Council had no right to interfere. A righteous anxiety to protect the native races was, of course, the motive of the Government's action, but it was led thereby into an act of overprecipitancy of a peculiarly injurious character.

Nor have the Liberals been very much happier in their dealings with domestic questions. Goethe long ago noted that "every large assembly, no matter what may be the quality of the individuals composing it, is essentially a mob." The Liberals in the House of Commons are a very large assembly, and I am afraid they partake somewhat of the essence of a mob, and a Radical mob at that. The Labor members are already making their mark on English politics, and from neither side of the House have they yet met with any determined resistance. The Government is not yet sure enough of itself to withstand their importunities, and the Opposition appears to have forgotten that it was ever a party of Conservatism. The situation, indeed, is full of heart-rending anomalies. The Protectionists are making it one of the main objects of their tactics to win the good-will of the Labor men.

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They hope ultimately to convert them to Tariff Reform, either by direct argument or by letting it be seen that their hopes of constructive social reform cannot be realized so long as England clings to her present fiscal system. They cannot be realized for the simple reason that there is not money enough. But Tariff Reform, whatever else it may or may not do, will at least fill the national exchequer and provide the indispensable funds for a programme of social betterment. In other countries, Protection has produced extravagance. Mr. Chamberlain hopes that in England extravagance may produce Protection. Every proposal that the Labor men put forward meets, therefore, with the willing support of the party that once called itself Conservative. There is thus generated a sort of competition between the Liberals and the Opposition to forward Labor measures. That is why, within the past few weeks, the House of Commons has been found voting in favor of free meals for the children in the public schools, of the payment of Members, and of throwing the expenses of elections upon the rates. That is also why it will probably and before long be found voting in favor of some great housing scheme, or of old-age pensions, or of national works for the unemployed. All these proposals are expensive, yet the Liberals do not care to hold out against them because of their "Progressive" character, and the Protectionists welcome them in the belief that the burden they will throw upon the national finances will be so intolerable as to force the adoption of a Protective tariff.

Nothing could show the power of the Labor men, and the timidity of both the historic parties before it, better than the history of the Government's Trade Disputes Bill. This was the Bill to which every trade-unionist in the country had been looking forward since the House of Lords in the Taff Vale case decided that a union was suable and that its funds could be mulcted in damages. It was because the late Government somewhat contemptuously refused to reverse that decision that the trade-union vote at the recent election went either to the Liberals or to the direct Labor representatives; and there was undoubtedly a strong obligation on the new Cabinet to take a long step in the direction of trade-union wishes. The Bill brought forward at the end of March took that long step. It laid down the principle that any act lawful in the eye of the civil and criminal codes if done by an individual is not unlawful if done by a combination. Second-

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ly, the Bill legalized peaceful picketing. Thirdly, it altered the law of agency on behalf of the trade-unions. It proposed that each union should appoint an executive committee for the conduct of strikes, and should be bound only by the acts of that committee or their formally appointed agents. Each agent, on appointment, was to have the scope of his authority strictly defined, and no acts of his that exceeded that authority should be binding on the union. Finally, if any self-constituted agent purported to act with the authority of the union, his acts should not bind it if immediately repudiated by the executive. Taken together, these provisions amounted to conferring upon trade-unions a position of privilege such as belongs to no other corporate bodies in the kingdom. But they were very far from satisfying the Labor men. What the Labor men demanded was a reversion to the *status quo* that obtained before the Taff Vale decision. They insisted, in other words, upon the principle of entire immunity for all trade-union funds. A Bill to this effect was introduced by a Labor member immediately after the Government's Bill, and to the amazement of Parliament and the country the Cabinet threw their own measure overboard and adopted the Labor Bill. But, if their action was astounding, the attitude of the Opposition was not less unprincipled. Five years ago, the whole of the Conservative party would have fought to the last ditch sooner than place trade-unions outside and above the common law. To-day, hardly a whisper of protest is heard except privately, and there are even Conservative journals already imploring the House of Lords not to jeopardize the prospects of Tariff Reform by such an alienation of the Labor party as would follow on the Upper Chamber's rejection of the proposal to exempt trade-unions from all financial liability for illegal acts. Whether the House of Lords will heed this timid advice I do not know; but I believe that, if it were to make a resolute stand and insist that trade-unions should be treated justly but without subserviency, the common sense of the country would be found on its side. The whole incident is typical of the invertebrate chaos to which Mr. Chamberlain's plunge into Protection has reduced English politics. It is a condition that cannot last; and, in the vigor and earnestness with which the Education Bill, introduced by Mr. Birrell on April 9th, has thus far been attacked and defended, there are the tokens of a much-needed convalescence.

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ST. PETERSBURG, *April, 1906.*

BEFORE this number of the REVIEW is in the hands of its readers, the Russian people will have entered upon a new era of their history. The project of the Duma, which was vague and shadowy a few weeks ago, is now rapidly assuming concrete form. The elections are in full swing, and popular excitement—far less intense than it would be in the United States or any other constitutional country—is at its highest pitch. At the meetings which are being held in the cities, the speakers become rhapsodical and the hearers ecstatic.

But outside the cities the people are calm, one might even say indifferent. And it would be a miracle were they otherwise. For they have no adequate idea of the Duma, of representative government or of the delegation of powers; indeed, many of them are literally incapable of grasping these conceptions. What else is to be expected of a peasantry who live like animals and think like children, of a peasantry who believed that the Japanese were invisible insects that crept into the Russian soldiers' top-boots and killed them infallibly? The Duma has in most cases no more meaning for the peasant than the word "hypothenuse" or "isosceles triangle." Why, therefore, should he worry about it?

The wonder, indeed, is not that only twenty-five, twenty or even ten per cent. of the voters went to the poll, but that such a large percentage as even that gave themselves the trouble to go and choose electors. In many districts, no peasants would have discharged their civic duties had it not been for the priests who exhorted them to come and choose the most suitable men. This action of the priests was largely the result of the intervention of the Procurator of the Holy Synod, Prince Obolensky, who sent a circular to the clergy of the Empire enjoining them to explain the *rôle* of the Duma, and the importance of the elections, to their flocks, and to exhort them to vote for the best men irrespective of political parties. His predecessor, Pobiedonostseff, would certainly never have done anything so reasonable.

But, in spite of explanations and exhortations, the peasants remained largely incorrigible. And their methods generally smacked of dovelike simplicity rather than of the wisdom of the serpent. For instance, in the province of Tula, when told by the Marshal of the Nobility that they ought to pick the most helpful man to look after their needs in the Duma, they ac-

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quiesced, saying: "Very well, in God's name let us do it. Get all the names down, put them into a pot and shake them up, and . . ." "Ah, no," cried the Marshal, "that is not what we mean by election. You are yourselves to choose a man whom you know to be good, not to trust to chance, which may be favorable to a fellow who is downright bad." But the peasantry were obstinate. The matter had to be thoroughly threshed out, and in the course of the arguments some of them urged that, by drawing lots, God's will would be fulfilled, whereas deliberate choice would mean the sinful will of man. After much parleying, they still objected: "But we cannot vote for anybody. We don't know each other." Finally, it was arranged that, as they had come from the north, south, east and west, they should form into four groups and each one set up a candidate. The result, however, was that each group secretly turned against its own candidate, who had only one vote in his favor—doubtless his own.

In another place, where there were no balls available to serve for voting purposes, nuts were used instead; but, in the course of the preliminary discussion, the peasants, who love to munch nuts and sunflower seeds, mechanically ate up the nuts, and then had to put off the election until a fresh supply was fetched. In the village of Troitsky, the elder of the canton was a candidate, and, rumor says, not a very popular one. However this may have been, he was elected by a big majority, and this is how it was unwittingly obtained. The man standing at the urn, who was put there to give explanations to his fellow peasants, cried out: "Electors to the right." He meant that they were to stand on the right, whereas they all imagined that he was ordering them to put the balls into the right section of the urn. It was only towards the end that their mistake was discovered, and then it was deemed improper to begin the voting over again. When the votes were counted, the elder had a big majority, but three balls were lacking. On inquiry, it was found that the individuals who had them, not knowing what to do with them, simply put them in their pockets.

The stories told of the less unsophisticated inhabitants of the enlightened cities of the Empire are equally characteristic, showing the depth of individual ignorance and the intensity of the general fear of meddling in politics. For example, the Moscow State Government Board sent out a number of controllers to ascer-

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tain whether the registered voters were really qualified, and to inform those who were that they were expected to fill up a form and exercise their rights. Among the people thus visited were heads of industrial firms, merchants, owners of house property, tradesmen and others. This is the narrative of one of the controllers:

"'Ivanoff,' I exclaimed to a salesman in the principal goods store, 'you are qualified to become an elector for the Imperial Duma.' Ivanoff grows as white as a sheet, straightens himself out, and, in a faltering voice, scarcely audible, says: 'I have never been accused of meddling in politics, never. . .' Five or six other salesmen draw near, and make a circle round him in a twinkling. Some of them are maliciously grinning: 'Well, at last you are caught, eh? Ha! ha! Now you'll be taught a lesson.' Others look serious, gloomy, and obviously sympathize with Ivanoff. 'What makes you do it?' asks the lady proprietor. 'Why are you wrecking a young life? See what is happening in other cities. Here's the paper; read. They write about Warsaw to-day. How can any one allow his name to be put down as an elector under such conditions? It would be to seek destruction!' Ivanoff, dismayed, excited, does not know what to do, and looks interrogatively up at his comrades. At long last, after much deliberation, they decided to advise him to return the paper without filling it up. But he glanced at me as he did so, and asked: 'Will nothing befall me for this?' I assured him he could return the blank form with impunity; but mistrustfully he shook his head, crying: 'I've got caught! Oh, I've got caught!'"

If, in spite of their preternatural ignorance and irrational fear, the people are now coming forward to vote, it is a healthy sign for which patriotic Russians are thankful. That they should elect so many members of the Constitutional Democratic Party is at once a symptom of the progress made by reform agitation, and of the relative liberty of choice allowed by the authorities. Pressure, of course, there has been from above, brutal pressure, which eschews all forms; but then it is only local, emanating from this man or that, not exercised by orders from the Government. Thus in one place, to my knowledge, the immediate superior of the peasants, the Zemsky-Nachalnik, exclaimed: "Vote for X., because he is the Tsar's man. If you vote for Y. you shall go to Archangel, every man Jack of you!" And they accordingly voted for X. There can be no doubt that, if the Government really wished to engineer the elections, they could readily hinder the return of so many aggressive enemies of their own *régime*. In the first Russian Duma, then, there will be a solid,

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well-disciplined Opposition, which will give the friends of Tsardom work and worry without end.

When the Imperial Duma meets, as it assuredly will meet in a few weeks, what course are events likely to take? That is the question which is now exercising the sagacity of Russians of all parties. Will the Opposition turn the Government out and take over the reins of power? And, if it cannot effect this, will it at least compel the Ministers to make a compromise on pain of suffering from a complete deadlock which would render all legislation impossible? In order to answer this question, one must bear in mind the functions of the Duma. Count Witté foreseeing the fire and audacity with which the nation's representatives might be expected to act, heedless of rules and regulations, gave them a counterpoise in the members of the Upper Chamber, half of whom are appointed by the Government. The two Chambers possess the same functions and rights; neither can make a law without the consent of the other, and the Tsar's sanction. This is the view the Liberals take of what can and will be done. If the Duma be composed on the one hand of a strong single-minded Opposition, and on the other of a number of fractions which cannot combine and are made up chiefly of peasants, the Liberal Opposition will try first to win over a sufficient body of these and then block the progress of all legislation, unless . . . And there the negotiations with the Government will begin.

For parliamentary obstruction on these lines is possible, the Democrats affirm. And they illustrate the way in which it would work by considering the bills drawn up by the Finance Minister, which, they say, are urgent, if anything is.

The Empire is in need of money—of a vast sum of money. To make the nation help find this sum, the Minister proposes to levy a tax upon all private incomes, upon gas, electricity, and paper. That bill will be thrown out by the Duma, the Liberals say, unless the Government strikes a compromise with the Opposition, and yields a portion of its just demands. What can the Ministers do but yield? That argument is more specious than convincing. Suppose the *quid pro quo* demanded by the Opposition is more than the authorities are willing to concede and that they refuse it, what then? Suppose the Opposition manages to get a majority against the financial schemes of M. Shipoff, and that the forty or fifty million dollars on which he

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counted are kept out of the imperial coffers? What then? Nothing. The Government, if it have meanwhile raised a loan abroad, may readily dispense with the proceeds of Shipoff's taxes, and it can block reform measures brought in by the Opposition.

But it is to be hoped that the new assembly will look upon things as they really are, and endeavor to make the best of them. In that case, it will certainly have ample scope for beneficent action. There is, for instance, the all-important question of the lot of the peasantry to be solved, whose benighted mental state and wretched condition call for immediate betterment. Yearly there are local famines in the Empire, now in one place, now in another, which, in nine cases out of ten, might be warded off or greatly alleviated by legislation. Thus, if the peasantry were sufficiently well instructed to grasp the advantages of intensive land culture, of artificial manure, the produce of the soil and their annual income might be quadrupled, while the vain cry for more land would grow weaker.

If the Duma meets, however, it will not be without considerable opposition on the part of the revolutionists, who are still to the fore and ever on the war-path. Of late they have altered their tactics but not their aims, which are purely destructive. Resolved to allow nobody to enjoy half a loaf because they themselves prefer a whole one, they pursue their own objects without bestowing much thought upon the well-being of the community at large. And, as they cannot repeat the Moscow experiment, throw up barricades and cause all trade and industry to cease, they confine themselves to murder, arson, and train-wrecking—crimes which, they hold, are turned into patriotic deeds by the circumstance that the motive is politically good.

There is no Government in Russia at present worthy of the name. The so-called "Cabinet" is a house divided against itself, and is therefore bound soon to fall. The Prime Minister is never consulted by the Minister of the Interior, who makes life a burden to thousands of the Tsar's subjects and fills the prisons with men and women, some of whom are obviously innocent of political crimes or misdemeanors, and have never been charged with any. Very often, indeed, the penal measures to which M. Durnovo has recourse are not even communicated to the other Ministers, who hear of them casually or not at all. "It is better that a thousand innocent persons should suffer than that one

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guilty man should escape," would seem to be the maxim followed by the Minister of the Interior. It is, of course, meet that apostles of violence should be rendered harmless and murderers be condignly punished; but it is dangerous, as well as immoral, to condemn innocent people to undergo the fate of heinous criminals. And that is what M. Durnovo is doing almost every day. Moreover, he seems constitutionally unable to sign an order for the release of any person behind whom the heavy prison doors have once shut. In vain do petitions come in, accompanied by proofs of the arrested man's innocence; the presumption is against the prisoner, and efforts to disprove the charge are disregarded.

The result of this game of equilibristics is that there is at present no Cabinet, no solidarity among the Ministers, no concerted action against the enemy, and no man who can speak to the Tsar's subjects in the name of the Russian nation. The nation, like many other nations, is divided on almost every political question; but, unlike all others, it appears to be united on only one point—hatred of Count Witté, whose crime is that he built upon circumstance, resigned himself to the inevitable and refused to throw away half a loaf because he failed to get a whole one. There is not a single man sufficiently beloved, nor any political ideal or principle sufficiently appreciated, to unite the Russian population, who are unanimous only in disliking the one man to whom they owe peace abroad and representative government at home.

One Minister seeking to trip up another is among the salient characteristics of latter-day Russian Government;—Durnovo *versus* Witté and the Jews. A violent and vile appeal to the murderous instincts of the masses, holding up to their execrations Count Witté, his wife (the *Countess*), the Jews, the English and the German peoples, was printed in the office of the police prefect and approved and stamped by an official of the Ministry of the Interior. One can hardly believe it possible, yet there is no doubt whatever that it is a fact. The matter has been officially brought to the notice of the Russian Government by foreign diplomats, after which apologies and explanations were tendered and accepted.

When the leaders of a nation are guilty of such excesses, one cannot affect surprise that the criminal elements of the population should show themselves peculiarly perverse. The general bent towards the employment of violence against life and property, even when no benefit can be reaped from it, is appalling.

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Killing might be said without exaggeration to have become a pleasure in many parts of Russia. Well-dressed persons walking down the streets in Riga, in Moscow, in Odessa, have been deliberately stabbed in the back, because they had not humble raiment on. Travellers by rail are still in danger of being wrecked and killed under horrible conditions, because the revolutionists would like to frighten the Government. Every week, railway bridges over ravines and rivers are destroyed in the dead of the night, in the hope that the next train will drop down there. Bombs are being manufactured to be thrown from the visitors' gallery on to the floor of the Duma. The property of men of all shades of political opinion and of none at all is unsafe, and may be seized at any moment by fellows who come armed with bombs to private or State banks, and threaten to blow up the officials. And, bad as that is, there is still worse: society, or at all events a considerable section of it, appears to approve these deeds. Youths of the grammar-schools, fired by this perverse public opinion, are burning to emulate the achievements of the gang who robbed the Mutual Credit Society in Moscow of nearly half a million dollars. Several schoolboys attempted it in one of the principal banks of Kharkoff a few days ago, and severely wounded a policeman who sought to capture them. The people who approve this crime and call it a patriotic deed are many, whereas those who raise their voice against it are few. Doubtless, a powerful movement will be got up in favor of the boys already in custody, for the purpose of screening them from punishment—and then other lads will go and do likewise.

But the assassination of Durnovo is the next item in the revolutionary programme. And the Minister knows it. Witté's life is also threatened, and both men have been warned by the police to stay within doors. But Durnovo alone acts upon the advice, while Witté runs the risk. The plot has been discovered only in part; the majority of the conspirators are still at liberty; and the manufactory where the bombs are being prepared has not yet been found.

But the predicted railway and general strike has not come off. The conditions are no longer propitious. In truth, there can be no general strike in Russia, no armed rising, no ruinous paralysis of trade and industry, such as the Government had to cope with last November. For the workmen are disillusioned and ex-

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hausted, the troops are numerous and loyal, the police is adequate and ready and the country is relatively quiet. Thus, despite isolated cases of robbery and murder, Poland is more tranquil to-day than for several years past. The rising in the Baltic Provinces is virtually quelled. The civil war in the Caucasus has burned out. The trade returns are improving rapidly. The railway takings are much better than could have been reasonably expected. The savings-banks have got their deposits back again. In a word, in spite of disquieting surface manifestations, the general state of the country is vastly improved; and, if the Government succeeds in raising the loan it is negotiating, the meeting of the Duma may indeed mark the beginning of a new and prosperous era for Holy Russia.

PARIS, *April, 1906.*

THE first event of consequence since my last letter was the Presidential election. It came off with incredible smoothness. There were only two candidates: M. Fallières and M. Doumer. The latter was, as I pointed out at the time, personally far superior to his rival. No individuality can be more strongly marked than that of a man who has risen from the situation of an engraver's apprentice to the Presidency of the Chamber of Deputies, and who professes to set his face against anticlerical excesses whilst refusing to have his children baptized.

The former is only a lucky politician, whose integrity, coupled with industry and staunch loyalty to republican institutions, brought him gradually, and without either scandal or glory, to the first offices in the State. It can hardly be doubted that the very reason of M. Fallières's success and M. Doumer's failure lies in the notion, prevalent in this democracy, that the Chief Executive should only be the agent of Parliament, and that he becomes dangerous the moment he betrays any inclination to preserve ever so little political influence.

At the time of M. Fallières's election, the situation was as follows: Algeciras was still a source of anxiety, but every day lessened the chances of a war, for which, on the other hand, France was every day better prepared; the army felt stronger; the Socialist Minister of War, Berteaux, had been compelled to make room for M. Etienne, a man of moderate views; the Cabinet was, at last, homogeneous, and M. Rouvier seemed pretty sure of re-

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maining in office until the general election in May. On the whole, the political situation was excellent, and nobody dreamt that the little black cloud caused by the separation of Church and State would bring such a terrible storm.

For a hundred years, the situation of the Catholic Church in France was regulated by the Concordat passed between Pius VI and Napoleon, then First Consul. The broad lines of this agreement were: on the part of the Church, the abandonment of most of the ecclesiastical property confiscated or sold during the Revolution, and the recognition of the right of the State to appoint the Bishops and other dignitaries; on the part of the State, the payment of a yearly salary to the clergy, the Bishops receiving 2,000 dollars, the Canons 400 dollars and the parish priests 180 dollars. This arrangement, in spite of occasional rubs, worked, on the whole, satisfactorily.

What, then, may have been the causes of the severance we have just witnessed, and who is responsible for the breach between the two powers, civil and religious? The answer is plain: there is no spirit of tolerance in this country. Tolerance is based on the idea that religion should be an individual affair, for which the individual ought never to be molested. Now, it is a fact that a certain portion of the French clergy look upon this modern idea of tolerance as a heresy, and view the Church as a sort of mould, shaping and encompassing the State. On the other hand, the anticlerical politician is no less violently opposed, not only to the Church, but even to the Christian ideal, and maintains that the belief in God and the soul stands in the way of all progress. M. Combes, when at the height of his power, was hooted from the tribune for saying he believed in the soul; and, a year ago, M. Brunetière, who confessedly has no rival as a professor of French literature, was, by an official decision and in spite of an unanimous vote, kept out of the Collége de France, exclusively on the score of his religious opinions. This spirit creates a state of tension which results, on the one side, in anticlerical laws, and, on the other, in a bitter feeling on the part of Catholics. The minor causes are many. Suffice it to say that, for more than thirty years, M. Clémenceau won adhesions to the principle of separation by pointing out the absurdity of Catholics contributing towards the maintenance of Protestant ministers and Jewish rabbis, and of free-thinkers supporting priests whom they hated.

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As to the final rupture, it was occasioned by the visit made in 1903 to the King of Italy by President Loubet. The Pope expressed his discontent at having been ignored in a confidential circular which found its way from the Prince of Monaco's archives into the columns of Jaurès's newspaper, and, from that day, Disestablishment was only a question of months. The Bill was passed by the Chamber in June, 1905, and by the Senate in December, without a single modification.

The new state of things brought about by the Separation Law can be described clearly and briefly enough. In the first place, the Churches,—Catholic, Protestant and Jewish—are henceforward to be regarded as mere Associations, and dealt with according to the Law of 1901 on Associations. Consequently, the Pope, Bishops and priests will be ignored as spiritual leaders, and recognized only as belonging to, or presiding over, Associations of a certain character. These Associations are to consist—according to the population of the parish they represent—of seven, fifteen or twenty-five members. With these alone will the civil authorities have any intercourse. If these Associations are legally established within six months of the promulgation of the law, they will be entitled (*a*) to the possession of the churches and synagogues for an unlimited period, (*b*) to the use of the seminaries and presbyteries for five years, (*c*) to pensions of between 100 and 120 dollars to be paid to priests, ministers and rabbis upwards of fifty-five years of age, (*d*) to civil personality—*i. e.*, the power to own property, which, however, is qualified by rather stringent regulations, for the Associations will be bound to submit their accounts to the State inspectors, to invest all their property in stocks, and the said property must in no case be such as to bring in more than the income necessary for a year's expenditure *plus* a small reserve.

The reader must see at once that this system cannot be said to be altogether liberal, yet it is comparatively so. Some Catholics were immediately for accepting it; others remembering the use made by M. Combes of M. Waldeck-Rousseau's law on Associations, and hearing the same M. Combes, M. Sembat, and numbers of Socialists bluntly say that the present Disestablishment Act was only a stepping-stone to further measures, betrayed considerable diffidence. All were agreed that no decision could be come to until the *règlement d'administration* (*i. e.*, regulations

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drawn up by the Council of State for the use of tribunals) was published.

In January, the "Gazette" printed the first instalment of these regulations dealing with the inventory of Church property. This inventory was the first step towards the transfer of Church property to the new Associations. It was an indispensable process, and nobody would have objected to it, had the Government waited to begin it until the *règlement* was complete. Unfortunately, M. Rouvier ordered the inventory to be taken at once in all churches, and, by an even more unfortunate error, a Ministerial circular was issued stating that in cases of resistance, the churches, sacristies, and even the tabernacles (in which the sacred vessels are kept) should be broken open. The Minister explained in a few days that the part of the circular concerning the tabernacles was an unaccountable mistake, but the impression left was that the Government was going to carry on by force an operation which was to have been peaceable.

The Royalist and Nationalist press could not lose such an opportunity. They spread the rumor that the inventory was the first stage of confiscation, and the result was the sudden agitation which began in Paris and reached its climax in Auvergne and Brittany. Rowdy scenes took place in thousands of churches when the Government officials attempted to take the inventory, and two deaths were recorded. Another, quite unexpected, result was the fall of M. Rouvier. The Premier had always been a very lukewarm partisan of Separation and was glad to leave the uncongenial work to another.

M. Fallières entrusted the thankless task of forming a cabinet to M. Sarrien. This gentleman is no orator, but he has considerable authority, and he has succeeded in persuading a dozen men from every point of the political horizon to join him in a risky venture. The characteristic of the new cabinet is its motley aspect. Its chief members are M. Leygues and M. Barthou, both moderates, M. Léon Bourgeois, the well-known radical, and at last MM. Clémenceau and Briand. Nobody could have dreamt that the last two named would ever sit together on the same bench. M. Briand is Jaurès's lieutenant, and, during the last six months, M. Clémenceau had waged merciless war against the Socialists. The dreaded ironist seemed farther than ever from accepting office; yet there he is, cheek by jowl with M. Briand,

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while the latter cannot but see sticking out of M. Barthou's pocket the counter-project destined to throw out his own fondest plan for the legal, and supremely dangerous, recognition of trades-unions for State functionaries. To make matters look worse for M. Fallières's first government, M. Clémenceau had insisted that the Home Office should be entrusted to him, and this meant nothing if not that he wanted to carry on the Church inventories by a violent method.

So the situation offered, when the new Government first appeared before the Chamber, a dismal picture of terrible difficulties at home, coupled with no less terrible difficulties at Algeciras, and, to cope with them, one saw the least homogeneous cabinet that ever was, with M. Clémenceau, the most explosive of men, as a leader.

In spite of this dark horizon, we passed from one Government to the other without feeling any oscillation. The German diplomats at Algeciras hove to for a while, waiting for the wind, but they soon saw that only a man was changed. For a few days, M. Léon Bourgeois had long conversations with M. Rouvier—does the reader know that even M. Delcassé comes to the Foreign Office almost every day?—firmness remained the word, and things went on at the Conference as if nothing had happened in Paris. As M. Bourgeois had taken the watchword from M. Rouvier, so M. Clémenceau consented to take it from M. Dubief. The day after entering office, the fire-eater gave orders that no inventory should be taken where the least resistance was offered, and, by the time the Conference came to a happy termination, order was at least apparently restored in the country.

Are these happy symptoms a sign that the future is clear for the new cabinet? The reader will judge for himself when I have stated a few points of fact.

France has certainly been a gainer in the Moroccan affair. I do not mean that the outlook in Morocco is, from a colonial point of view, very bright. The German press talks, indeed, of a preponderating French influence; but it seems clear that the arrangements made at Algeciras leave the Republic less free than she was. The benefit France has derived from a year's contest with Germany is exclusively a moral one. The country has recovered from the panic which attended M. Delcassé's resignation, the army is in better training, the German bugbear is reduced to

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its true proportions of a bugbear, and the *entente cordiale* which had left many a Frenchman sceptical is at present a fact beyond doubt. The Russian alliance, too, thanks to the success of the Russian loan in February, is evidently reviving.

This is the cheerful aspect of things. Unfortunately, there is another. The religious difficulty is only apparently at rest. On July 1st, the law has to be enforced, and if no Associations appear to claim the churches, the churches shall be closed. Now the question is: Will the Pope allow or prohibit the establishment of Associations? Twenty-three eminent laymen have recently, in a letter drawn up by M. Brunetiere, advised the Bishops to submit, but the letter was coldly received in Rome. On the other hand, a violent article in which M. de Mun advocates resistance seems to have been approved. If this course should be adopted, the scenes which have followed on the attempts to take inventories would become little short of a civil war when the churches were closed.

Then there are the social and economic difficulties. Socialist proselytizing has been continuously increasing, and with such efficiency that the group will probably rise to about ninety members in the next Chamber. The organization of the party is extremely strong. The trades-unions have established no less than 110 Labor Exchanges at which thousands of syndicates are entered, enjoying legal privileges and possessing large reserves. During the last two years, there has been a wide-spread agitation in favor of extension to the State servants of the right of forming syndicates and trades-unions. I pointed out above that the leader of this agitation is no less a person than M. Briand, at present Minister of Education, and its chief opponent, M. Clémenceau, Minister of the Interior. The catastrophe in the Courrières coal-pits has caused a miners' strike, which, if the Socialist leaders do not change their minds, will develop, on May 1st, into a *general strike*. The violence of the Socialist papers is now at its height, and the coincidence of the general election (May 6th and 20th) with the date of the strike only makes them the more ardent for action. What will M. Briand do, bound as he is by his theories and promises, and what will M. Clémenceau do? An awkward note of interrogation, indeed.

Of the election, the reader must not be surprised that I say nothing. Prophesying is childish, and changes are improbable.

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No French election will be comparable to, for instance, the English election, until this country reaches a political stage which may not be far off, and becomes sharply divided into Socialists and Anti-Socialists.

WASHINGTON, *April, 1906.*

DURING this month, President Roosevelt has again played the star part on the national stage. By two speeches and a Special Message to Congress, he has riveted popular attention on his personality. The address delivered at the White House to a body of German veterans was generally regarded as significant, and was of especial interest to the diplomatic corps, because it indicated a distinct change of attitude toward Germany since the control of our State Department passed from the late John Hay to Elihu Root. During the whole of the tenure of the Secretaryship of State by Mr. Hay, our Government had visibly striven to bring about a union of hearts between the English-speaking peoples. It was almost inevitable that, with such a purpose in mind, our State Department should evince more and more coldness toward Germany, the relations between which and Great Britain have for some time been strained. Ultimately an understanding between Great Britain, France and the United States, which, while not embodied in any formal treaty, might prove in practice equally effective, was earnestly advocated by some influential newspapers, and was believed to have Mr. Hay's hearty approval. It must, however, be acknowledged that this departure from our traditional policy of aloofness was eyed askance, not only by millions of American citizens of German birth or descent, but also by many of those so-called "native Americans" who can trace their lineage to Colonial forefathers, and who still find it hard to forget the War of the Revolution and the War of 1812. Mr. Root is no more biassed by Anglophilism than by Anglophobia. Faithful to the traditions of the Republic, he desires friendship with all foreign Powers, but entangling alliances with none. Under the changed circumstances, conciliatory overtures from the German sovereign have met with a sympathetic reception, with the result that, while our relations with Great Britain have been in no wise chilled, our relations to Germany are now more cordial than they have been for years. The words spoken by the President to the German veterans were fitted, and doubtless

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calculated, to draw the two peoples more closely together, and they have naturally called forth many expressions of gratification on the part of the German press. It is also recognized in Berlin that American esteem for Germany has been attested by deeds as well as words, our representative in the Morocco Conference having evidently been instructed not to give indiscriminate support to the proposals put forward by Great Britain and France, but rather to play the part of mediator and compromiser between those Powers and Germany.

By the remarkable speech which he delivered on April 14th, on the occasion of laying the cornerstone of the office-building of the House of Representatives, Mr. Roosevelt succeeded in offending many of his political opponents, and in alarming many of his friends. So far, indeed, as the speech dealt with its ostensible subject, "The Man with the Muck-rake," it must have commended itself strongly to the Federal Senate, which has been of late subjected to wholesale vilification, and has been ridiculously accused of "treason." The President, on his part, did not deny that, when there is filth on the floor, it must be scraped up with the muck-rake, but he expressed the conviction that the man who never does anything else—who never thinks or speaks or writes save of his feats with the muck-rake—speedily becomes, not a help to society, not an incitement to good, but one of the most potent forces for evil. Mr. Roosevelt recognized that there ought to be relentless exposure of, and attack upon, every evil man, whether politician or man of affairs, and every evil practice, whether in politics, business or social life. He would hail, he says, as a benefactor every writer or speaker who, on the platform or in book, magazine or newspaper, makes such an attack with merciless severity, *provided only,* however, that the assailant, in his turn, remembers that the attack is never of use unless it is absolutely truthful. In the President's judgment, the liar is no better than the thief, and, if the liar's mendacity takes the form of slander or libel, he may be worse than most thieves. An epidemic of indiscriminate and hysterical assault on character does no good, but very great harm. The soul of every scoundrel is gladdened whenever an honest man is assailed, or even when a scoundrel is untruthfully assailed. The President showed himself an adept in that political philosophy of which Burke is the exemplar, when he pointed out, with reference to the campaign

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of wholesale and extravagant vilification now going on in the United States, that any excess is almost sure to invite a reaction, and, unfortunately, the reaction, instead of taking the form of punishment of those guilty of the excess, is very apt to take the form either of punishment of the unoffending, or of giving immunity to the offenders. The difficulty which he himself has experienced in getting the right type of men to dig the Panama Canal has given convincing proof of the fact that gross and reckless assaults on reputation, whether on the stump or in newspapers and magazines, create a morbid and vicious public sentiment, and, at the same time, act as an almost insuperable deterrent to able men of normal sensitiveness, and tend to prevent them from entering the public service at any price.

The President's auditors, who for months have been deafened with a storm of objurgations, must have drawn a deep breath of satisfaction when he testified to what he and they well know, to wit, that there is a vast amount of good in the world, and that there never was a time when loftier and more disinterested work for the betterment of mankind was being done than now. Undoubtedly, the forces that make for evil are great and terrible, but the forces of truth, and love, and courage, and honesty, and generosity, and sympathy are also mightier than they ever were before. Wild sensationalism was stigmatized as the very poorest weapon wherewith to fight for lasting righteousness. Men who with stern sobriety and truth assail the many evils of our time, whether in the public press or on the platform, were acclaimed by Mr. Roosevelt as the leaders and allies of all engaged in the work for social and political amelioration. He did not fail, however, to point out that, if agitators give good reasons for distrust of what they say, they thereby play into the hands of the very men against whom they are ostensibly at war.

The worst about indiscriminate and hysterical assaults upon public men is that it is, unfortunately, easy to persuade the mass of a people that it is improperly governed. The reason was pointed out more than three centuries ago by Hooker, the eminent Elizabethan divine, from whom Mr. Roosevelt quoted a pertinent passage, to the effect that "he who goeth about to persuade a multitude that they are not so well governed as they ought to be, will never lack attentive and favorable hearers, because the hearers can perceive the manifold defects whereunto every kind

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of regimen is subject; whereas the secret hindrances and difficulties which, in public proceedings, are innumerable and inevitable, the masses have not ordinarily the wit to consider or even to guess."

Elsewhere, in this memorable speech, Mr. Roosevelt adverted to the iniquitous warping of the public mind, produced by those magazines and newspapers which confine their indictments to the derelictions of the rich. He solemnly warned his auditors that no good whatever can come from the twisted and mock morality which denounces the misdeeds of men of wealth, and overlooks the misdeeds practised at their expense; which fulminates against bribery, but blinds itself to blackmail; which foams with rage if a corporation secures favors by improper methods, and merely leers with hideous mirth if the corporation is itself wronged. There are those who think that Mr. Roosevelt had in mind the ideal which he himself has tried to realize, when he said that the only public servant who can be trusted honestly to protect the rights of the public against the misdeeds of a corporation is that public man who will just as surely protect the corporation itself from wrongful aggression. It is certainly true that, if a public man is willing to yield to popular clamor and do wrong to men of wealth or to rich corporations, there is reason to fear that, whenever the opportunity comes, he will do wrong secretly and furtively to the public in the interest of a corporation.

That part of the speech delivered by Mr. Roosevelt on April 14th which dealt with "The Man with the Muck-rake" was adapted, as we have said, to exasperate not a few of his political opponents. He injected, however, a paragraph which has undoubtedly frightened many of his friends. Having in mind the possible use which might be made of stupendous accumulations by ambitious or vicious heirs of very wealthy men, Mr. Roosevelt avowed that, as a matter of personal conviction, and without pretending to discuss details, or formulate a system, he felt that we in the United States shall ultimately have to consider the adoption of some such scheme as that of a progressive tax on all fortunes beyond a certain amount, whether transferred by gift during the owner's life, or devised or bequeathed by him, to any single individual. The purpose, of course, of such a tax as Mr. Roosevelt contemplates is to put it out of the power of the owner of an enormous fortune to hand over more than a

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certain fraction of it to any one person. Whether the imposition of a progressive inheritance tax by the Federal Government would be constitutional is doubtful, and a preponderance of authority favors the opinion that a constitutional amendment for the purpose would be required. Such a constitutional amendment might not be easily secured, because the States which now monopolize the right of levying an inheritance tax might resent the intrusion of the Federal Government on that field. The fact that a progressive inheritance tax exists in Great Britain proves nothing, because that country possesses no written Constitution, and every Act of Parliament is valid. Apparently, Mr. Roosevelt would go further than British legislation has gone. We infer from his words that, after a certain limit had been reached, the decedent's power to devise or bequeath property would cease, and all the rest of his estate would be escheated to the Commonwealth. In Great Britain, the legislator has not put any limit on the amount which may be left by a decedent to any single individual. He merely says that the larger the amount inherited by a single person the higher shall be the rate of the legacy duty which that person must pay. We incline to think, as we have said, that, if the transmission of colossal fortunes by inheritance is prevented in this country, it will not be by Federal, but by State, legislation. It may be remembered that a resolute attempt in this direction was made some years ago in the State of New York, but, although the bill to that end passed both the Senate and the Assembly, it was vetoed by Governor Black.

As for the Special Message which President Roosevelt sent to Congress on April 18th, it would have attracted more notice, had not the awful seismic catastrophe which laid waste San Francisco occurred on the same day. In the Message, the President recommended the passage of legislation giving such a construction to the laws under which the beef-packers were lately tried in Chicago, as to render it impossible hereafter for defendants who give information in Federal antitrust cases to claim immunity from prosecution, an immunity which District-Judge Humphrey has upheld. The latter's interpretation of the existing statutes is described by Mr. Roosevelt as coming measurably near to making the law a farce, and for that reason he urges Congress to pass a declaratory act defining its real intention. We, doubtless, may take it for granted that this suggestion will be heeded.

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